



Journal of the Senate

State of Indiana

119th General Assembly

First Regular Session

Thirteenth Meeting Day

Thursday Afternoon

January 29, 2015

The Senate convened at 1:32 p.m., with the President of the Senate, Sue Ellspermann, in the Chair.

Prayer was offered by Senator Travis L. Holdman.

The Pledge of Allegiance to the Flag was led by Senator Holdman.

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

Alting	Leising
Arnold	Long
Banks, A.	Merritt
Bassler	Messmer
Becker	Miller, Patricia
Boots	Miller, Pete
Bray	Mishler
Breaux	Mrvan <input checked="" type="checkbox"/>
Broden	Niemeyer
Brown	Perfect
Buck	Raatz
Charbonneau	Randolph
Crider	Rogers
Delph	Schneider
Eckerty	Smith <input checked="" type="checkbox"/>
Ford	Steele
Glick	Stoops
Grooms	Tallian <input checked="" type="checkbox"/>
Head	Taylor
Hershman	Tomes
Holdman	Walker
Houchin	Waltz
Kenley	Yoder
Kruse	Young, M.
Lanane	Zakas

Roll Call 56: present 47; excused 3. [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.

REPORT OF THE PRESIDENT PRO TEMPORE

Madam President: Pursuant to Senate Rule 68(b), I hereby report that Senate Bill 370, currently assigned to the Committee on Rules & Legislative Procedure, be reassigned to the Committee on Veterans Affairs & The Military.

LONG

Report adopted.

REPORT OF THE PRESIDENT PRO TEMPORE

Madam President: I hereby report that, on January 26, 2015, the Senate Committee on Ethics recommended that Senator Delph be excused from voting on Senate Bill 55.

LONG

Report adopted.

REPORTS FROM COMMITTEES COMMITTEE REPORT

Madam President: The Senate Committee on Rules & Legislative Procedure, to which was referred Senate Bill 72, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Delete everything after the enacting clause and insert the following:

SECTION 1. IC 9-32-13-23.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: **Sec. 23.5. (a) Except as provided in section 23(a)(3) of this chapter, it is an unfair practice for a manufacturer or a distributor to:**

- (1) sell or offer to sell a new motor vehicle directly to a consumer; or
- (2) display a new motor vehicle to the general public in order to facilitate a sale;

other than through an independent franchised new motor vehicle dealer that has a physical place of business that is capable of performing complete warranty service on motor vehicles produced by the manufacturer. This subsection does not apply to sales to fleet owners or governmental agencies.

(b) A manufacturer is not in violation of subsection (a) if:

- (1) the manufacturer has not more than two (2) manufacturer owned locations in Indiana that were licensed under IC 9-32-11-1 before January 1, 2015, that display, sell, or service new motor vehicles produced by the manufacturer and the manufacturer has no independent franchise dealers in Indiana;
- (2) the manufacturer's locations permitted under subdivision (1):

- (A) meet all state requirements of a licensed new motor vehicle dealer under IC 9-32-11-1; and
- (B) exclusively display, sell, and service vehicles powered only by electricity; and
- (3) no part of the vehicle production operations of the manufacturer is sold to any other person or entity.

(Reference is to SB 72 as introduced.)

and when so amended that said bill be reassigned to the Senate Committee on Commerce & Technology.

LONG, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Corrections & Criminal Law, to which was referred Senate Bill 92, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

- Page 4, line 19, reset in roman "used".
- Page 4, line 19, delete "possessed".
- Page 4, line 27, reset in roman "used".
- Page 4, line 28, delete "possessed".
- Page 4, line 41, reset in roman "used".
- Page 4, line 41, delete "possessed".
- Page 5, line 14, delete "(20) years" and insert "**(20) years.**".
- Page 5, line 14, strike "except as".
- Page 5, strike lines 15 through 23.
- Page 5, line 24, strike "this chapter for use of a".
- Page 5, line 24, delete "deadly weapon".
- Page 5, line 24, strike "in the".
- Page 5, strike line 25.

(Reference is to SB 92 as printed January 15, 2015.)

and when so amended that said bill do pass.

Committee Vote: Yeas 8, Nays 1.

M. YOUNG, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Corrections & Criminal Law, to which was referred Senate Bill 164, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 1, line 9, delete "offenses involving the unlawful possession or use of a" and insert: "**felony offenses that:**

- (1) involved the unlawful use of a deadly weapon; and**
- (2) were not committed as part of the same episode of criminal conduct.**".

Page 1, delete line 10.

Page 2, line 40, delete "offenses involving" and insert "**felony offenses that:**

- (A) involved the unlawful use of a deadly weapon; and**
- (B) were not committed as part of the same episode of criminal conduct.**".

Page 2, delete line 41.

Page 3, line 42, delete "offenses involving" and insert "**felony offenses that:**

- (A) involved the unlawful use of a deadly weapon; and**
- (B) were not committed as part of the same episode of criminal conduct.**".

Page 4, delete line 1.

Page 5, line 4, delete "offenses involving" and insert "**felony offenses that:**

- (A) involved the unlawful use of a deadly weapon; and**
- (B) were not committed as part of the same episode of criminal conduct.**".

Page 5, delete line 5.

(Reference is to SB 164 as printed January 15, 2015.)

and when so amended that said bill do pass.

Committee Vote: Yeas 7, Nays 2.

M. YOUNG, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Public Policy, to which was referred Senate Bill 252, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

Committee Vote: Yeas 10, Nays 0.

ALTING, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Education & Career Development, to which was referred Senate Bill 259, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 1, line 4, delete "Dual Credit" and insert "**Early College**".

Page 1, line 4, delete "Pilot" and insert "**Model**".

Page 2, line 1, delete "dual credit" and insert "**early college**".

Page 2, line 1, delete "pilot" and insert "**model**".

Page 2, line 2, delete "assist secondary school students in" and insert "**research**".

Page 2, line 2, delete "five (5)" and insert "**ten (10)**".

Page 2, line 3, delete "to have access to courses".

Page 2, line 3, after "that" insert "**have implemented or will be implementing an early college**".

Page 2, line 4, delete "would allow a student to obtain an".

Page 2, line 5, delete "on or before the" and insert ". **The schools selected must be evenly distributed geographically around Indiana, with priority given to both urban and rural schools as well as schools with high enrollment and low enrollment.**".

Page 2, delete line 6.

Page 2, line 11, delete "plan," and insert "**model**".

Page 2, line 11, delete "to".

Page 2, line 12, delete "select" and insert "**that provides guidance to**".

Page 2, line 12, after "schools" insert "**that wish to begin**".

Page 2, line 12, delete "to participate in the pilot program and to coordinate".

Page 2, delete line 13.

Page 2, line 14, delete "that are necessary for a student to

obtain".

Page 2, line 14, after "an" insert "**early college**".

Page 2, line 14, after "degree" insert "**program**".

Page 2, line 15, delete "on or before the student graduates from high" and insert ".".

Page 2, delete lines 16 through 18, begin a new paragraph and insert:

"Sec. 5. In determining the early college STEM associate degree model, the department must consider the following:

(1) The feasibility of offering the types of early college STEM associate degree programs at a selected school, including the existence of quality laboratory space and equipment and the availability of time within the school day for adequate laboratory experiences.

(2) The transferability of credits towards a bachelor's degree.

(3) The availability of teachers at a selected school who have the requisite knowledge to teach classes for early college STEM associate degrees.

(4) The workforce demand for early college STEM associate degrees."

Page 2, line 19, delete "5." and insert "6."

Page 2, line 19, delete "November 1, 2018," and insert "**June 30, 2016**,".

Page 2, between lines 21 and 22, begin a new line block indented and insert:

"(1) an outline of the model developed;"

Page 2, line 22, delete "(1)" and insert "**(2)**".

Page 2, line 23, delete "after implementation of the pilot program;" and insert ";".

Page 2, line 24, delete "(2)" and insert "**(3)**".

Page 2, line 25, after "allow" insert "**more**".

Page 2, line 25, after "students to" insert "**start early college**".

Page 2, line 25, delete "obtain dual".

Page 2, line 26, delete "credit courses necessary for the student to obtain an".

Page 2, line 27, after "degree" insert "**programs**".

Page 2, line 27, delete "on or before the date the" and insert ".".

Page 2, delete line 28.

Page 2, line 29, delete "6." and insert "7."

Page 2, line 29, delete "July 1, 2019." and insert "**March 31, 2017**."

(Reference is to SB 259 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 9, Nays 0.

KRUSE, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Corrections & Criminal Law, to which was referred Senate Bill 261, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 1, line 6, after "Sec. 2." insert "**(a)**".

Page 1, line 6, reset in roman "Appeals to the".

Page 1, reset in roman lines 7 through 8.

Page 1, line 9, reset in roman "(1) From an order granting a motion to dismiss".

Page 1, line 9, after "dismiss" insert "**one (1) or more counts of**".

Page 1, line 9, reset in roman "an indictment or".

Page 1, reset in roman line 10.

Page 1, line 11, reset in roman "(2) From an order or judgment for the defendant, upon".

Page 1, line 11, after "his" insert "**the defendant's**".

Page 1, line 11, reset in roman "motion".

Page 1, line 12, reset in roman "for discharge because of delay of".

Page 1, line 12, after "of his" insert "**the defendant's**".

Page 1, line 12, reset in roman "trial not caused by".

Page 1, line 12, after "by his" insert "**the defendant's**".

Page 1, line 12, reset in roman "act, or".

Page 1, line 13, reset in roman "upon".

Page 1, line 13, after "his" insert "**the defendant's**".

Page 1, line 13, reset in roman "plea of former jeopardy, presented and ruled upon prior".

Page 1, reset in roman lines 14 through 16.

Page 2, reset in roman lines 1 through 2.

Page 2, line 3, reset in roman "ultimate effect of the order is to preclude further".

Page 2, line 3, delete "prosecution." and insert "**prosecution of one (1) or more counts of an information or indictment.**".

Page 2, reset in roman lines 4 through 13.

Page 2, delete lines 14 through 29, begin a new paragraph and insert:

"(b) The state may not initiate an appeal of a sentence. However, if a defendant has initiated an appeal, the state may challenge the sentence by cross appeal."

(Reference is to SB 261 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 10, Nays 0.

M. YOUNG, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Education & Career Development, to which was referred Senate Bill 267, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 1, line 4, delete "Seal" and insert "**Certificate**".

Page 1, line 12, delete ""seal"" and insert ""**certificate**"".

Page 1, line 12, after "state" delete "seal" and insert "**certificate**".

Page 1, line 14, delete "seal" and insert "**certificate**".

Page 2, line 11, delete "seal certifies" and insert "**receipt of the certificate demonstrates**".

Page 2, line 16, delete "seal" and insert "**certificate**".

Page 2, line 18, delete "seal," and insert "**certificate,**".

Page 2, line 26, after "for" insert "**awarding the certificate and**".

Page 2, line 26, delete "seal" and insert "certificate".
 Page 2, line 27, delete "diploma and".
 Page 2, line 28, delete "seal;" and insert "certificate";
 Page 2, line 31, delete "seal" and insert "certificate".
 Page 2, line 36, delete "seal;" and insert "certificate";
 Page 2, line 37, delete "diploma and".
 Page 2, line 38, delete "seal." and insert "certificate".
 Page 2, line 40, delete "seal" and insert "certificate".

(Reference is to SB 267 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 9, Nays 0.

KRUSE, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Local Government, to which was referred Senate Bill 288, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 3, line 13, after "hearing." insert "**This subsection expires January 1, 2021.**"

Page 4, line 9, after "subdivision." insert "**This subsection expires January 1, 2021.**"

Page 4, delete lines 10 through 42, begin a new paragraph and insert:

"SECTION 3. IC 6-1.1-17-3, AS AMENDED BY P.L.183-2014, SECTION 20, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 3. (a) The proper officers of a political subdivision shall formulate its estimated budget and its proposed tax rate and tax levy on the form prescribed by the department of local government finance and approved by the state board of accounts. The political subdivision or appropriate fiscal body, if the political subdivision is subject to section 20 of this chapter, shall ~~(before January 1, 2015)~~ **(before January 1, 2021)** at least ten (10) days before the public hearing, give notice to taxpayers of:

- (1) the estimated budget;
- (2) the estimated maximum permissible levy;
- (3) the current and proposed tax levies of each fund; and
- (4) the amounts of excessive levy appeals to be requested.

The political subdivision or appropriate fiscal body shall also state the time and place at which the political subdivision or appropriate fiscal body will hold a public hearing on these items. The political subdivision or appropriate fiscal body shall ~~(before January 1, 2015)~~ **(before January 1, 2021)** publish the notice twice in accordance with IC 5-3-1 with the first publication at least ten (10) days before the date fixed for the public hearing. The first publication must be before September 14, and the second publication must be before September 21 of the year. The political subdivision shall pay for the publishing of the notice. The political subdivision shall submit this information to the department's computer gateway before September 14 of each year and at least ten (10) days before the public hearing required by this subsection in the manner prescribed by the department. The department shall make this information available to

taxpayers, at least ten (10) days before the public hearing, through its computer gateway and provide a telephone number through which taxpayers may request mailed copies of a political subdivision's information under this subsection. The department's computer gateway must allow a taxpayer to search for the information under this subsection by the taxpayer's address. The department shall review only the submission to the department's computer gateway for compliance with this section.

(b) For taxes due and payable in ~~2015 and~~ 2016, **2017, 2018, 2019, 2020, and 2021**, each county shall publish a notice in accordance with IC 5-3-1 in two (2) newspapers published in the county stating the Internet address at which the information under subsection (a) is **also** available and the telephone number through which taxpayers may request copies of a political subdivision's information under subsection (a). If only one (1) newspaper is published in the county, publication in that newspaper is sufficient. The department of local government finance shall prescribe the notice. Notice under this subsection shall be published before September 14. Counties may seek reimbursement from the political subdivisions within their legal boundaries for the cost of the notice required under this subsection. The actions under this subsection shall be completed in the manner prescribed by the department.

(c) The board of directors of a solid waste management district established under IC 13-21 or IC 13-9.5-2 (before its repeal) may conduct the public hearing required under subsection (a):

- (1) in any county of the solid waste management district; and
- (2) in accordance with the annual notice of meetings published under IC 13-21-5-2.

(d) The trustee of each township in the county shall estimate the amount necessary to meet the cost of township assistance in the township for the ensuing calendar year. The township board shall adopt with the township budget a tax rate sufficient to meet the estimated cost of township assistance. The taxes collected as a result of the tax rate adopted under this subsection are credited to the township assistance fund.

(e) A political subdivision for which any of the information under subsection (a) is not ~~(before January 1, 2015)~~ **(before January 1, 2021)** published and is not submitted to the department's computer gateway in the manner prescribed by the department shall have its most recent annual appropriations and annual tax levy continued for the ensuing budget year.

(f) If a political subdivision or appropriate fiscal body timely publishes ~~(before January 1, 2015)~~ **(before January 1, 2021)** and timely submits the information under subsection (a) but subsequently discovers the information contains a typographical error, the political subdivision or appropriate fiscal body may request permission from the department to submit amended information to the department's computer gateway and ~~(before January 1, 2015)~~ **(before January 1, 2021)** to publish the amended information. However, such a request must occur not later than seven (7) days before the public hearing held under subsection (a). Acknowledgment of the correction of an error shall be posted on the department's computer gateway and communicated by the political subdivision or appropriate fiscal

body to the fiscal body of the county in which the political subdivision and appropriate fiscal body are located."

Delete page 5.

Page 6, delete lines 1 through 8.

Page 8, line 18, after "2015)" insert "(before January 1, 2021)".

Page 8, line 39, after "2015)" insert "(before January 1, 2021)".

Page 8, line 39, reset in roman "and before the submission".

Page 9, line 17, after "2015)" insert "(before January 1, 2021)".

Page 9, line 17, reset in roman "and before the submission".

(Reference is to SB 288 as introduced.)

and when so amended that said bill be reassigned to the Senate Committee on Tax & Fiscal Policy.

Committee Vote: Yeas 6, Nays 0.

HEAD, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Judiciary, to which was referred Senate Bill 324, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 4, line 27, after "Sec. 56." insert "(a)".

Page 4, line 28, delete "IC 31-16-15," and insert "IC 31-16-15 and".

Page 4, line 28, strike "and the Uniform Interstate".

Page 4, line 29, strike "Family Support Act under".

Page 4, line 30, delete "IC 31-18.5,".

Page 4, between lines 31 and 32, begin a new paragraph and insert:

"(b) "Income", for purposes of the Uniform Interstate Family Support Act under IC 31-18.5, means earnings or other periodic entitlements to money from any source, and any other property subject to withholding for support under Indiana law (as defined in IC 31-18.5-1-2)."

Page 54, line 20, delete "42" and insert "45".

(Reference is to SB 324 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 8, Nays 1.

STEELE, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Public Policy, to which was referred Senate Bill 327, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

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

"SECTION 1. IC 4-32.2-2-10.3 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 10.3. "Bona

fide state foundation" refers to an organization that:

(1) operates without profit to the organization's members;

(2) is exempt from taxation under Section 501 of the Internal Revenue Code; and

(3) has provided grants to Indiana organizations in aggregate amounts that annually exceed fifty thousand dollars (\$50,000) in each of the three (3) calendar years preceding the calendar year in which the organization applies for a license under this article.

SECTION 2. IC 4-32.2-2-10.7 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: **Sec. 10.7. "Bona fide state organization" refers to an organization that:**

(1) operates without profit to the organization's members;

(2) is exempt from taxation under Section 501 of the Internal Revenue Code;

(3) has a state membership; and

(4) has been continuously in existence in Indiana for at least three (3) years."

Page 2, between lines 6 and 7, begin a new paragraph and insert:

"SECTION 6. IC 4-32.2-4-20, AS ADDED BY P.L.94-2012, SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 20. (a) This section applies only to a qualified organization that is a:

(1) bona fide national organization; ~~or~~

(2) bona fide national foundation;

(3) bona fide state organization; or

(4) bona fide state foundation.

(b) The commission may issue an annual comprehensive charity gaming license to a qualified organization if:

(1) the provisions of this section are satisfied; and

(2) the organization:

(A) submits an application in compliance with section 19 of this chapter; and

(B) pays a fee in the amount set by IC 4-32.2-6.

(c) A license issued under this section:

(1) may authorize the qualified organization to conduct raffle events and door prize events through the organization's Indiana affiliates on more than one (1) occasion during a period of one (1) year;

(2) must state the expiration date of the license; and

(3) may be reissued annually upon the submission of an application for reissuance on the form established by the commission and upon the licensee's payment of a fee in the amount set by IC 4-32.2-6.

(d) A license issued under this section authorizes a qualified organization to:

(1) conduct door prize drawings at a raffle event held under the license; and

(2) conduct raffles at a door prize event held under the license."

Page 2, delete lines 41 through 42.

Page 3, delete lines 1 through 22.

Page 4, after line 9, begin a new paragraph and insert:

"SECTION 11. IC 4-32.2-5-29, AS ADDED BY P.L.94-2012,

SECTION 21, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 29. (a) This section applies only to a qualified organization holding an annual comprehensive charity gaming license issued under IC 4-32.2-4-20.

(b) An Indiana affiliate of a qualified organization may conduct a raffle or door prize event without obtaining a separate license for itself. A raffle or door prize event conducted by the Indiana affiliate is considered an event conducted by the qualified organization.

(c) A qualified organization may conduct events under an annual comprehensive charity gaming license on more than two (2) consecutive days.

(d) An Indiana affiliate of the qualified organization may not conduct a raffle or door prize event under an annual comprehensive charity gaming license until the affiliate has been in existence in Indiana for ~~three (3) years~~; **one (1) year**.

(e) Unless otherwise expressly provided, a requirement imposed upon the conduct of an allowable event by:

(1) this article; or

(2) the rules of the commission;

applies to the conduct of a raffle or door prize event under an annual comprehensive charity gaming license.

(f) The following limitations apply to a qualified organization holding an annual comprehensive charity gaming license:

(1) The qualified organization may not conduct more than ten (10) events under the annual comprehensive charity gaming license per week through any combination of its Indiana affiliates.

(2) The qualified organization may not hold another license issued under IC 4-32.2-4-8, IC 4-32.2-4-9, IC 4-32.2-4-10, or IC 4-32.2-4-11 while holding the annual comprehensive charity gaming license.

(3) Except as provided by section 31 of this chapter, the Indiana affiliates of the qualified organization may not hold another license issued under IC 4-32.2-4-8, IC 4-32.2-4-9, IC 4-32.2-4-10, or IC 4-32.2-4-11 while the qualified organization holds the annual comprehensive charity gaming license."

Renumber all SECTIONS consecutively.

(Reference is to SB 327 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 9, Nays 0.

ALTING, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Local Government, to which was referred Senate Bill 336, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

Committee Vote: Yeas 6, Nays 0.

HEAD, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Appropriations, to which was referred Senate Bill 345, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 2, line 1, after "IC 21-14-11.5-1" delete "." and insert "**(before its expiration)**."

Page 2, line 9, delete "," and insert "**(before its expiration)**,".

Page 2, after line 33, begin a new paragraph and insert:

"(c) This chapter expires June 30, 2017."

(Reference is to SB 345 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 8, Nays 4.

KENLEY, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Judiciary, to which was referred Senate Bill 375, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

Committee Vote: Yeas 9, Nays 0.

STEELE, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Local Government, to which was referred Senate Bill 415, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

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

"SECTION 1. IC 5-14-3-4, AS AMENDED BY P.L.168-2014, SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 4. (a) The following public records are excepted from section 3 of this chapter and may not be disclosed by a public agency, unless access to the records is specifically required by a state or federal statute or is ordered by a court under the rules of discovery:

(1) Those declared confidential by state statute.

(2) Those declared confidential by rule adopted by a public agency under specific authority to classify public records as confidential granted to the public agency by statute.

(3) Those required to be kept confidential by federal law.

(4) Records containing trade secrets.

(5) Confidential financial information obtained, upon request, from a person. However, this does not include information that is filed with or received by a public agency pursuant to state statute.

(6) Information concerning research, including actual research documents, conducted under the auspices of a state educational institution, including information:

- (A) concerning any negotiations made with respect to the research; and
- (B) received from another party involved in the research.
- (7) Grade transcripts and license examination scores obtained as part of a licensure process.
- (8) Those declared confidential by or under rules adopted by the supreme court of Indiana.
- (9) Patient medical records and charts created by a provider, unless the patient gives written consent under IC 16-39 or as provided under IC 16-41-8.
- (10) Application information declared confidential by the board of the Indiana economic development corporation under IC 5-28-16.
- (11) A photograph, a video recording, or an audio recording of an autopsy, except as provided in IC 36-2-14-10.
- (12) A Social Security number contained in the records of a public agency.
- ~~(13) The following information that is part of a foreclosure action subject to IC 32-30-10.5:~~
- ~~(A) Contact information for a debtor, as described in IC 32-30-10.5-8(d)(1)(B).~~
- ~~(B) Any document submitted to the court as part of the debtor's loss mitigation package under IC 32-30-10.5-10(a)(3).~~
- (b) Except as otherwise provided by subsection (a), the following public records shall be excepted from section 3 of this chapter at the discretion of a public agency:
- (1) Investigatory records of law enforcement agencies. However, certain law enforcement records must be made available for inspection and copying as provided in section 5 of this chapter.
 - (2) The work product of an attorney representing, pursuant to state employment or an appointment by a public agency:
 - (A) a public agency;
 - (B) the state; or
 - (C) an individual.
 - (3) Test questions, scoring keys, and other examination data used in administering a licensing examination, examination for employment, or academic examination before the examination is given or if it is to be given again.
 - (4) Scores of tests if the person is identified by name and has not consented to the release of the person's scores.
 - (5) The following:
 - (A) Records relating to negotiations between the Indiana economic development corporation, the ports of Indiana, the Indiana state department of agriculture, the Indiana finance authority, an economic development commission, a local economic development organization (as defined in IC 5-28-11-2(3)), or a governing body of a political subdivision with industrial, research, or commercial prospects, if the records are created while negotiations are in progress.
 - (B) Notwithstanding clause (A), the terms of the final offer of public financial resources communicated by the Indiana economic development corporation, the ports of Indiana, the Indiana finance authority, an economic development commission, or a governing body of a political subdivision to an industrial, a research, or a commercial prospect shall be available for inspection and copying under section 3 of this chapter after negotiations with that prospect have terminated.
 - (C) When disclosing a final offer under clause (B), the Indiana economic development corporation shall certify that the information being disclosed accurately and completely represents the terms of the final offer.
 - (D) Notwithstanding clause (A), an incentive agreement with an incentive recipient shall be available for inspection and copying under section 3 of this chapter after the date the incentive recipient and the Indiana economic development corporation execute the incentive agreement regardless of whether negotiations are in progress with the recipient after that date regarding a modification or extension of the incentive agreement.
 - (6) Records that are intra-agency or interagency advisory or deliberative material, including material developed by a private contractor under a contract with a public agency, that are expressions of opinion or are of a speculative nature, and that are communicated for the purpose of decision making.
 - (7) Diaries, journals, or other personal notes serving as the functional equivalent of a diary or journal.
 - (8) Personnel files of public employees and files of applicants for public employment, except for:
 - (A) the name, compensation, job title, business address, business telephone number, job description, education and training background, previous work experience, or dates of first and last employment of present or former officers or employees of the agency;
 - (B) information relating to the status of any formal charges against the employee; and
 - (C) the factual basis for a disciplinary action in which final action has been taken and that resulted in the employee being suspended, demoted, or discharged.
 However, all personnel file information shall be made available to the affected employee or the employee's representative. This subdivision does not apply to disclosure of personnel information generally on all employees or for groups of employees without the request being particularized by employee name.
 - (9) Minutes or records of hospital medical staff meetings.
 - (10) Administrative or technical information that would jeopardize a record keeping or security system.
 - (11) Computer programs, computer codes, computer filing systems, and other software that are owned by the public agency or entrusted to it and portions of electronic maps entrusted to a public agency by a utility.
 - (12) Records specifically prepared for discussion or developed during discussion in an executive session under IC 5-14-1.5-6.1. However, this subdivision does not apply to that information required to be available for inspection and copying under subdivision (8).

(13) The work product of the legislative services agency under personnel rules approved by the legislative council.

(14) The work product of individual members and the partisan staffs of the general assembly.

(15) The identity of a donor of a gift made to a public agency if:

(A) the donor requires nondisclosure of the donor's identity as a condition of making the gift; or

(B) after the gift is made, the donor or a member of the donor's family requests nondisclosure.

(16) Library or archival records:

(A) which can be used to identify any library patron; or

(B) deposited with or acquired by a library upon a condition that the records be disclosed only:

(i) to qualified researchers;

(ii) after the passing of a period of years that is specified in the documents under which the deposit or acquisition is made; or

(iii) after the death of persons specified at the time of the acquisition or deposit.

However, nothing in this subdivision shall limit or affect contracts entered into by the Indiana state library pursuant to IC 4-1-6-8.

(17) The identity of any person who contacts the bureau of motor vehicles concerning the ability of a driver to operate a motor vehicle safely and the medical records and evaluations made by the bureau of motor vehicles staff or members of the driver licensing medical advisory board regarding the ability of a driver to operate a motor vehicle safely. However, upon written request to the commissioner of the bureau of motor vehicles, the driver must be given copies of the driver's medical records and evaluations.

(18) School safety and security measures, plans, and systems, including emergency preparedness plans developed under 511 IAC 6.1-2-2.5.

(19) A record or a part of a record, the public disclosure of which would have a reasonable likelihood of threatening public safety by exposing a vulnerability to terrorist attack. A record described under this subdivision includes:

(A) a record assembled, prepared, or maintained to prevent, mitigate, or respond to an act of terrorism under IC 35-47-12-1 or an act of agricultural terrorism under IC 35-47-12-2;

(B) vulnerability assessments;

(C) risk planning documents;

(D) needs assessments;

(E) threat assessments;

(F) intelligence assessments;

(G) domestic preparedness strategies;

(H) the location of community drinking water wells and surface water intakes;

(I) the emergency contact information of emergency responders and volunteers;

(J) infrastructure records that disclose the configuration of critical systems such as communication, electrical, ventilation, water, and wastewater systems;

(K) detailed drawings or specifications of structural

elements, floor plans, and operating, utility, or security systems, whether in paper or electronic form, of any building or facility located on an airport (as defined in IC 8-21-1-1) that is owned, occupied, leased, or maintained by a public agency. A record described in this clause may not be released for public inspection by any public agency without the prior approval of the public agency that owns, occupies, leases, or maintains the airport. The public agency that owns, occupies, leases, or maintains the airport:

(i) is responsible for determining whether the public disclosure of a record or a part of a record has a reasonable likelihood of threatening public safety by exposing a vulnerability to terrorist attack; and

(ii) must identify a record described under item (i) and clearly mark the record as "confidential and not subject to public disclosure under IC 5-14-3-4(b)(19)(J) without approval of (insert name of submitting public agency)"; and

(L) the home address, home telephone number, and emergency contact information for any:

(i) emergency management worker (as defined in IC 10-14-3-3);

(ii) public safety officer (as defined in IC 35-47-4.5-3);

(iii) emergency medical responder (as defined in IC 16-18-2-109.8); or

(iv) advanced emergency medical technician (as defined in IC 16-18-2-6.5).

This subdivision does not apply to a record or portion of a record pertaining to a location or structure owned or protected by a public agency in the event that an act of terrorism under IC 35-47-12-1 or an act of agricultural terrorism under IC 35-47-12-2 has occurred at that location or structure, unless release of the record or portion of the record would have a reasonable likelihood of threatening public safety by exposing a vulnerability of other locations or structures to terrorist attack.

(20) The following personal information concerning a customer of a municipally owned utility (as defined in IC 8-1-2-1):

(A) Telephone number.

(B) Address.

(C) Social Security number.

(21) The following personal information about a complainant contained in records of a law enforcement agency:

(A) Telephone number.

(B) The complainant's address. However, if the complainant's address is the location of the suspected crime, infraction, accident, or complaint reported, the address shall be made available for public inspection and copying.

(22) Notwithstanding subdivision (8)(A), the name, compensation, job title, business address, business telephone number, job description, education and training background, previous work experience, or dates of first

employment of a law enforcement officer who is operating in an undercover capacity.

(23) Records requested by an offender that:

(A) contain personal information relating to:

- (i) a correctional officer (as defined in IC 5-10-10-1.5);
- (ii) a law enforcement officer (as defined in IC 35-31.5-2-185);
- (iii) a judge (as defined in IC 33-38-12-3);
- (iv) the victim of a crime; or
- (v) a family member of a correctional officer, law enforcement officer (as defined in IC 35-31.5-2-185), judge (as defined in IC 33-38-12-3), or victim of a crime; or

(B) concern or could affect the security of a jail or correctional facility.

(24) Information concerning an individual less than eighteen (18) years of age who participates in a conference, meeting, program, or activity conducted or supervised by a state educational institution, including the following information regarding the individual or the individual's parent or guardian:

- (A) Name.
- (B) Address.
- (C) Telephone number.
- (D) Electronic mail account address.

(25) Criminal intelligence information.

(26) The following information contained in a report of unclaimed property under IC 32-34-1-26 or in a claim for unclaimed property under IC 32-34-1-36:

- (A) date of birth;
- (B) driver's license number;
- (C) taxpayer identification number;
- (D) employer identification number; or
- (E) account number.

(c) Nothing contained in subsection (b) shall limit or affect the right of a person to inspect and copy a public record required or directed to be made by any statute or by any rule of a public agency.

(d) Notwithstanding any other law, a public record that is classified as confidential, other than a record concerning an adoption or patient medical records, shall be made available for inspection and copying seventy-five (75) years after the creation of that record.

(e) Only the content of a public record may form the basis for the adoption by any public agency of a rule or procedure creating an exception from disclosure under this section.

(f) Except as provided by law, a public agency may not adopt a rule or procedure that creates an exception from disclosure under this section based upon whether a public record is stored or accessed using paper, electronic media, magnetic media, optical media, or other information storage technology.

(g) Except as provided by law, a public agency may not adopt a rule or procedure nor impose any costs or liabilities that impede or restrict the reproduction or dissemination of any public record.

(h) Notwithstanding subsection (d) and section 7 of this chapter:

(1) public records subject to IC 5-15 may be destroyed only in accordance with record retention schedules under IC 5-15; or

(2) public records not subject to IC 5-15 may be destroyed in the ordinary course of business.

SECTION 2. IC 5-20-1-4, AS AMENDED BY P.L.6-2012, SECTION 36, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 4. (a) The authority has all of the powers necessary or convenient to carry out and effectuate the purposes and provisions of this chapter, including the power:

(1) to make or participate in the making of construction loans for multiple family residential housing under terms that are approved by the authority;

(2) to make or participate in the making of mortgage loans for multiple family residential housing under terms that are approved by the authority;

(3) to purchase or participate in the purchase from mortgage lenders of mortgage loans made to persons of low and moderate income for residential housing;

(4) to make loans to mortgage lenders for the purpose of furnishing funds to such mortgage lenders to be used for making mortgage loans for persons and families of low and moderate income. However, the obligation to repay loans to mortgage lenders shall be general obligations of the respective mortgage lenders and shall bear such date or dates, shall mature at such time or times, shall be evidenced by such note, bond, or other certificate of indebtedness, shall be subject to prepayment, and shall contain such other provisions consistent with the purposes of this chapter as the authority shall by rule or resolution determine;

(5) to collect and pay reasonable fees and charges in connection with making, purchasing, and servicing of its loans, notes, bonds, commitments, and other evidences of indebtedness;

(6) to acquire real property, or any interest in real property, by conveyance, including purchase in lieu of foreclosure, or foreclosure, to own, manage, operate, hold, clear, improve, and rehabilitate such real property and sell, assign, exchange, transfer, convey, lease, mortgage, or otherwise dispose of or encumber such real property where such use of real property is necessary or appropriate to the purposes of the authority;

(7) to sell, at public or private sale, all or any part of any mortgage or other instrument or document securing a construction loan, a land development loan, a mortgage loan, or a loan of any type permitted by this chapter;

(8) to procure insurance against any loss in connection with its operations in such amounts and from such insurers as it may deem necessary or desirable;

(9) to consent, subject to the provisions of any contract with noteholders or bondholders which may then exist, whenever it deems it necessary or desirable in the fulfillment of its purposes to the modification of the rate of interest, time of payment of any installment of principal or interest, or any other terms of any mortgage loan, mortgage loan commitment, construction loan, loan to lender, or contract or agreement of any kind to which the authority is

a party;

(10) to enter into agreements or other transactions with any federal, state, or local governmental agency for the purpose of providing adequate living quarters for such persons and families in cities and counties where a need has been found for such housing;

(11) to include in any borrowing such amounts as may be deemed necessary by the authority to pay financing charges, interest on the obligations (for a period not exceeding the period of construction and a reasonable time thereafter or if the housing is completed, two (2) years from the date of issue of the obligations), consultant, advisory, and legal fees and such other expenses as are necessary or incident to such borrowing;

(12) to make and publish rules respecting its lending programs and such other rules as are necessary to effectuate the purposes of this chapter;

(13) to provide technical and advisory services to sponsors, builders, and developers of residential housing and to residents and potential residents, including housing selection and purchase procedures, family budgeting, property use and maintenance, household management, and utilization of community resources;

(14) to promote research and development in scientific methods of constructing low cost residential housing of high durability;

(15) to encourage community organizations to participate in residential housing development;

(16) to make, execute, and effectuate any and all agreements or other documents with any governmental agency or any person, corporation, association, partnership, limited liability company, or other organization or entity necessary or convenient to accomplish the purposes of this chapter;

(17) to accept gifts, devises, bequests, grants, loans, appropriations, revenue sharing, other financing and assistance and any other aid from any source whatsoever and to agree to, and to comply with, conditions attached thereto;

(18) to sue and be sued in its own name, plead and be impleaded;

(19) to maintain an office in the city of Indianapolis and at such other place or places as it may determine;

(20) to adopt an official seal and alter the same at pleasure;

(21) to adopt and from time to time amend and repeal bylaws for the regulation of its affairs and the conduct of its business and to prescribe rules and policies in connection with the performance of its functions and duties;

(22) to employ fiscal consultants, engineers, attorneys, real estate counselors, appraisers, and such other consultants and employees as may be required in the judgment of the authority and to fix and pay their compensation from funds available to the authority therefor;

(23) notwithstanding IC 5-13, but subject to the requirements of any trust agreement entered into by the authority, to invest:

(A) the authority's money, funds, and accounts;

(B) any money, funds, and accounts in the authority's custody; and

(C) proceeds of bonds or notes;

in the manner provided by an investment policy established by resolution of the authority;

(24) to make or participate in the making of construction loans, mortgage loans, or both, to individuals, partnerships, limited liability companies, corporations, and organizations for the construction of residential facilities for individuals with a developmental disability or for individuals with a mental illness or for the acquisition or renovation, or both, of a facility to make it suitable for use as a new residential facility for individuals with a developmental disability or for individuals with a mental illness;

(25) to make or participate in the making of construction and mortgage loans to individuals, partnerships, corporations, limited liability companies, and organizations for the construction, rehabilitation, or acquisition of residential facilities for children;

(26) to purchase or participate in the purchase of mortgage loans from:

(A) public utilities (as defined in IC 8-1-2-1); or

(B) municipally owned gas utility systems organized under IC 8-1.5;

if those mortgage loans were made for the purpose of insulating and otherwise weatherizing single family residences in order to conserve energy used to heat and cool those residences;

(27) to provide financial assistance to mutual housing associations (IC 5-20-3) in the form of grants, loans, or a combination of grants and loans for the development of housing for low and moderate income families;

(28) to service mortgage loans made or acquired by the authority and to impose and collect reasonable fees and charges in connection with such servicing;

(29) subject to the authority's investment policy, to enter into swap agreements (as defined in IC 8-9.5-9-4) in accordance with IC 8-9.5-9-5 and IC 8-9.5-9-7;

(30) to promote and foster community revitalization through community services and real estate development;

(31) to coordinate and establish linkages between governmental and other social services programs to ensure the effective delivery of services to low income individuals and families, including individuals or families facing or experiencing homelessness;

(32) to cooperate with local housing officials and plan commissions in the development of projects that the officials or commissions have under consideration;

~~(33) to prescribe, in accordance with IC 32-30-10.5-10(i), a list of documents that must be included under IC 32-30-10.5 as part of a debtor's loss mitigation package in a foreclosure action filed after June 30, 2011;~~

~~(34)~~ (33) to take actions necessary to implement its powers that the authority determines to be appropriate and necessary to ensure the availability of state or federal financial assistance; and

~~(35)~~ (34) to administer any program or money designated by the state or available from the federal government or other sources that is consistent with the authority's powers and duties.

The omission of a power from the list in this subsection does not imply that the authority lacks that power. The authority may exercise any power that is not listed in this subsection but is consistent with the powers listed in this subsection to the extent that the power is not expressly denied by the Constitution of the State of Indiana or by another statute.

(b) The authority shall ensure that a mortgage loan acquired by the authority under subsection (a)(3) or made by a mortgage lender with funds provided by the authority under subsection (a)(4) is not knowingly made to a person whose adjusted family income, as determined by the authority, exceeds one hundred twenty-five percent (125%) of the median income for the geographic area involved. However, if the authority determines that additional encouragement is needed for the development of the geographic area involved, a mortgage loan acquired or made under subsection (a)(3) or (a)(4) may be made to a person whose adjusted family income, as determined by the authority, does not exceed one hundred forty percent (140%) of the median income for the geographic area involved. The authority shall establish procedures that the authority determines are appropriate to structure and administer any program conducted under subsection (a)(3) or (a)(4) for the purpose of acquiring or making mortgage loans to persons of low or moderate income. In determining what constitutes low income, moderate income, or median income for purposes of any program conducted under subsection (a)(3) or (a)(4), the authority shall consider:

- (1) the appropriate geographic area in which to measure income levels; and
- (2) the appropriate method of calculating low income, moderate income, or median income levels including:
 - (A) sources of;
 - (B) exclusions from; and
 - (C) adjustments to;
 income.

(c) The authority, when directed by the governor, shall administer programs and funds under 42 U.S.C. 1437 et seq.

(d) The authority shall identify, promote, assist, and fund:

- (1) home ownership education programs; and
- (2) mortgage foreclosure counseling and education programs under IC 5-20-6;

conducted throughout Indiana by nonprofit counseling agencies that the authority has certified, or by any other public, private, or nonprofit entity in partnership with a nonprofit agency that the authority has certified, using funds appropriated under section 27 of this chapter. The attorney general and the entities listed in IC 4-6-12-4(a)(1) through IC 4-6-12-4(a)(10) shall cooperate with the authority in implementing this subsection.

(e) The authority shall:

- (1) oversee and encourage a regional homeless delivery system that:
 - (A) considers the need for housing and support services;
 - (B) implements strategies to respond to gaps in the delivery system; and

(C) ensures individuals and families are matched with optimal housing solutions;

(2) facilitate the dissemination of information to assist individuals and families accessing local resources, programs, and services related to homelessness, housing, and community development; and

(3) each year, estimate and reasonably determine the number of the following:

(A) Individuals in Indiana who are homeless.

(B) Individuals in Indiana who are homeless and less than eighteen (18) years of age.

(C) Individuals in Indiana who are homeless and not residents of Indiana."

Page 6, line 13, strike "IC 32-30-10.6" and insert "IC 36-7-37".

Page 6, line 16, strike "IC 32-30-10.6-6" and insert "IC 36-7-37".

Page 7, after line 42, begin a new paragraph and insert:

"SECTION 6. IC 6-1.1-24-1.7 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2015 (RETROACTIVE)]: **Sec. 1.7. (a) The county executive or the county executive's designee may, at any time before the application for judgment provided for in section 4.6(b) of this chapter, certify to the county auditor that a property is not suitable for tax sale. When making the application for judgment, the county auditor shall include a list of the properties certified not suitable for tax sale.**

(b) Not later than ten (10) days after making the certification as provided in subsection (a), the county executive or the county executive's designee shall provide a notice to each person with a substantial property interest of record in the property, stating the following:

(1) The street address, if any, or a common description of the tract or real property.

(2) The key number or parcel number of the tract or real property.

(3) That the property has been certified not suitable for tax sale.

(4) That the court will hear and determine the issue before the tax sale.

(5) That if the court determines that the property is not suitable for tax sale, the property will not be offered for sale at the tax sale, but may be disposed of by the county executive as provided in this chapter.

(6) That if the court determines that the property is not suitable for tax sale, the property may be redeemed any time until one (1) year after the conclusion of the tax sale from which the property was removed.

(7) That if the court determines that the property is not suitable for tax sale and the county executive disposes of the property within three (3) years after the conclusion of the tax sale at which the property would have been offered for sale, any amount received in excess of the amount of the minimum bid will be disbursed in the same manner as if the property had been sold in the tax sale."

Page 11, line 39, delete "IC 32-30-10.6" and insert "IC 36-7-37".

Page 12, line 3, strike "IC 32-30-10.6-6," and insert "IC 36-7-37,".

Page 16, between lines 14 and 15, begin a new paragraph and insert:

"SECTION 13. IC 6-1.1-24-4.7, AS AMENDED BY P.L.169-2006, SECTION 20, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2015 (RETROACTIVE)]: Sec. 4.7. (a) No later than fifteen (15) days before the advertised date of the tax sale, the court shall examine the list of tracts and real property as provided under section 4.6 of this chapter. No later than three (3) days before the advertised date of the tax sale, the court shall enter judgment for those taxes, special assessments, penalties, and costs that appear to be due. This judgment is considered as a judgment against each tract or item of real property for each kind of tax, special assessment, penalty, or cost included in it. The affidavit provided under section 4.6 of this chapter is prima facie evidence of delinquency for purposes of proceedings under this section. The court shall also direct the clerk to prepare and enter an order for the sale of those tracts and real property against which judgment is entered, **except as provided in subsection (j).**

(b) Not later than seven (7) days before the advertised date of the tax sale, the court shall conduct a hearing. At the hearing, the court shall hear any defense offered by any person interested in any of the tracts or items of real property to the entry of judgment against them, hear and determine the matter in a summary manner, without pleadings, and enter its judgment. The court shall enter a judgment under this subsection not later than three (3) days before the advertised date of the tax sale. The objection must be in writing, and no person may offer any defense unless the writing specifying the objection is accompanied by an original or a duplicate tax receipt or other supporting documentation. At least seven (7) days before the date set for the hearing, notice of the date, time, and place of the hearing shall be provided by the court to **the following:**

(1) Any person filing a defense to the application for judgment and order of sale.

(2) **Any person with a substantial property interest of record in a property certified not suitable for tax sale.**

(c) If judgment is entered in favor of the respondent under these proceedings or if judgment is not entered for any particular tract, part of a tract, or items of real property because of an unresolved objection made under subsection (b), the court shall remove those tracts, parts of tracts, or items of real property from the list of tracts and real property provided under section 4.6 of this chapter.

(d) A judgment and order for sale shall contain the final listing of affected properties and the name of at least one (1) of the owners of each tract or item of real property, and shall substantially follow this form:

"Whereas, notice has been given of the intended application for a judgment against these tracts and real property, and no sufficient defense has been made or cause has been shown why judgment should not be entered against these tracts for taxes, and real property special

assessments, penalties, and costs due and unpaid on them, therefore it is considered by the court that judgment is hereby entered against the below listed tracts and real property in favor of the state of Indiana for the amount of taxes, special assessments, penalties, and costs due severally on them; and it is ordered by the court that the several tracts or items of real property be sold as the law directs. Payments for taxes, special assessments, penalties, and costs made after this judgment but before the sale shall reduce the judgment accordingly."

(e) The order of the court constitutes the list of tracts and real property that shall be offered for sale under section 5 of this chapter.

(f) The court that enters judgment under this section shall retain exclusive continuing supervisory jurisdiction over all matters and claims relating to the tax sale.

(g) No error or informality in the proceedings of any of the officers connected with the assessment, levying, or collection of the taxes that does not affect the substantial justice of the tax itself shall invalidate or in any manner affect the tax or the assessment, levying, or collection of the tax.

(h) Any irregularity, informality, omission, or defective act of one (1) or more officers connected with the assessment or levying of the taxes may be, in the discretion of the court, corrected, supplied, and made to conform to law by the court, or by the officer (in the presence of the court).

(i) At the hearing required by subsection (b), the court shall hear and determine whether properties certified by the county executive under section 1.7 of this chapter are not suitable for tax sale. The court may determine a property to be not suitable for tax sale if the property:

(1) contains hazardous waste or another environmental hazard for which the cost of abatement or remediation will exceed the fair market value of the property;

(2) has been the site of excessive police or fire emergency response activities during the preceding three (3) years; or

(3) has been offered for sale in at least two (2) tax sales during the preceding ten (10) years.

(j) The judgment and order described in subsection (d) must also identify any properties that the court has determined to not be suitable for tax sale. Judgment shall be entered against these properties as provided in this section, but an order for the sale of these properties may not be entered. As to these properties, the judgment and order shall state in substantially the following form:

"Whereas, this court having entered judgment against these tracts and real property, and the court having found that these properties are not suitable for tax sale, it is ordered that, notwithstanding the aforementioned judgment and order, the following tracts shall not be offered for sale under IC 6-1.1-24-5, but may be disposed of by the county executive as provided in IC 6-1.1-24-4.7(k)."

(k) The county executive has the same rights in a property determined by the court to be not suitable for tax sale as the county executive has in a property that is offered for sale at a tax sale but for which an amount greater than or equal to the minimum sale price is not received, and may dispose of

the property as provided in this chapter. If the property is disposed of by the county executive any time within three (3) years after the conclusion of the tax sale at which the property would have been offered for sale but for the determination in subsection (i), the proceeds of the disposition shall be disbursed in the same manner as if such determination had not been made and the property had been offered for sale and sold at the tax sale."

Page 18, line 20, strike "in the county in which a sale is held under this" and insert "; and".

Page 18, strike line 21.

Page 18, line 29, strike "in the county in which a sale is held under this" and insert "; and".

Page 18, strike line 30.

Page 18, line 38, strike "in the county in which a sale is held under this".

Page 18, line 39, strike "chapter".

Page 19, line 8, delete ",,".

Page 19, line 8, strike "in the county in which a sale is held under this".

Page 19, line 9, strike "chapter,".

Page 19, line 21, delete "IC 32-30-10.6." and insert "**IC 36-7-37.**"

Page 19, line 38, after "subdivision" insert ",,".

Page 19, line 38, strike "in this county,".

Page 19, line 39, after "code or" insert "**county**".

Page 19, line 39, after "ordinance" insert ",,".

Page 19, line 39, strike "of this county,".

Page 19, line 40, after "a" insert "**county**".

Page 19, line 40, after "department" insert ",,".

Page 19, line 40, strike "in this county,".

Page 24, line 41, delete "sales" and insert "**sale**".

Page 29, between lines 39 and 40, begin a new paragraph and insert:

"(n) The period of redemption for a property, which was not offered for sale under IC 6-1.1-24-4.7(j), is one (1) year after the conclusion of the tax sale at which the property was not offered."

Page 30, between lines 8 and 9, begin a new paragraph and insert:

"SECTION 24. IC 6-1.1-25-4.8 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2015 (RETROACTIVE)]: Sec. 4.8. Not later than ninety (90) days after the conclusion of a tax sale, the county auditor shall provide a notice to each person with a substantial property interest of record in a property that was not offered for sale in the tax sale under IC 6-1.1-24-4.7(j). The notice must contain at least the following:

- (1) The street address, if any, or a common description of the tract or real property.**
- (2) The key number or parcel number of the tract or real property.**
- (3) A statement that the property was not offered for sale in the tax sale.**
- (4) A statement that the property may be redeemed by any person at any time until one (1) year after the conclusion of the tax sale from which the property was**

removed.

(5) The components of the amount required to redeem the property.

(6) The date of expiration of the period of redemption specified in section 4 of this chapter.

(7) A statement that the property may be disposed of by the county executive as provided in IC 6-1.1-24.

(8) A statement that, if the county executive disposes of the property within three (3) years after the conclusion of the tax sale at which the property would have been offered for sale, any amount received in excess of the amount of the minimum bid will be disbursed in the same manner as if the property had been sold in the tax sale."

Page 34, delete lines 33 through 42, begin a new paragraph and insert:

"SECTION 28. IC 32-30-10-10, AS AMENDED BY P.L.105-2009, SECTION 19, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 10. A plaintiff may not:

- (1) proceed to foreclose the mortgagee's mortgage:**
 - (A) while the plaintiff is prosecuting any other action for the same debt or matter that is secured by the mortgage;**
 - (B) while the plaintiff is seeking to obtain execution of any judgment in any other action; or**
 - (C) until the notice under ~~IC 32-30-10.5-8(a)~~ **IC 32-30-10.5-8** has been sent, if required, in the case of a mortgage transaction described in IC 32-30-10.5-5; or**
- (2) prosecute any other action for the same matter while the plaintiff is foreclosing the mortgagee's mortgage or prosecuting a judgment of foreclosure.**

SECTION 29. IC 32-30-10.5-4.7 IS REPEALED [EFFECTIVE JULY 1, 2015]. Sec. 4.7. As used in this chapter, "loss mitigation package" means a set of documents, the components of which:

- (1) are specified by the authority under section 10(i) of this chapter;**
- (2) provide information about a debtor's present and projected future income; expenses; assets; and liabilities; and**
- (3) are necessary for a creditor to make underwriting decisions or other determinations in connection with a potential foreclosure prevention agreement with the debtor to whom the documents apply.**

SECTION 30. IC 32-30-10.5-5, AS AMENDED BY P.L.6-2012, SECTION 211, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 5. (a) As used in this chapter, "mortgage" means ~~(1) a loan; or (2) a consumer credit sale; that is or will be used by the debtor primarily for personal, family, or household purposes and that is secured by a mortgage (or another equivalent consensual security interest) that~~ **a mortgage loan (as defined in 12 CFR 1024.31) that:**

- (1) is secured by the debtor's primary residence; and**
- (2) constitutes a first lien on a dwelling or on residential real estate upon which a dwelling is constructed or intended to be constructed.**

(b) The term does not include a land contract (as defined in IC 24-4.4-1-301(36)) or similar agreement in which the debtor

does not possess a deed.

SECTION 31. IC 32-30-10.5-7, AS ADDED BY P.L.105-2009, SECTION 20, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 7. As used in this chapter, "mortgage servicer" means the last person to whom:

- (1) a debtor; in a mortgage; or
- (2) the debtor's successor in interest;

has been instructed to send payments on the mortgage; a servicer as defined by 12 CFR 1024.2.

SECTION 32. IC 32-30-10.5-8, AS AMENDED BY P.L.102-2012, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 8. (a) This section applies to a foreclosure action that is filed after June 30, 2009; Except as provided in subsection (e) and section 10(g) of this chapter; not later than thirty (30) days before a creditor files an action for foreclosure; the creditor shall send to the debtor by certified mail a presuit notice on a form prescribed by the authority: The notice required by this subsection A mortgage servicer, including a small servicer (as defined in 12 CFR 1026.41) that is exempt in whole or in part from 12 CFR 1024.39, 12 CFR 1024.40, and 12 CFR 1024.41, shall comply with:

- (1) 12 CFR 1024.39;
- (2) 12 CFR 1024.40;
- (3) 12 CFR 1024.41; and
- (4) subsection (b).

(b) A mortgage servicer shall send the debtor a notice that must do the following:

- (1) Inform the debtor that:
 - (A) the debtor is in default;
 - (B) the debtor is encouraged to obtain assistance from a mortgage foreclosure counselor; and
 - (C) if the creditor proceeds to file a foreclosure action and obtains a foreclosure judgment, the debtor has a right to do the following before a sheriff's sale is conducted:
 - (i) Appeal a finding of abandonment by a court under IC 32-30-10.6.
 - (ii) Redeem the real estate from the judgment under IC 32-29-7-7.
 - (iii) Retain possession of the property under IC 32-29-7-11(b), subject to the conditions set forth in IC 32-29-7-11(b).

(2) Provide the contact information for the Indiana Foreclosure Prevention Network.

(3) Include the following statement printed in at least 14 point boldface type:

"NOTICE REQUIRED BY STATE LAW

Mortgage foreclosure is a complex process. People may approach you about "saving" your home. You should be careful about any such promises. There are government agencies and nonprofit organizations you may contact for helpful information about the foreclosure process. For the name and telephone number of an organization near you, please call the Indiana Foreclosure Prevention Network."

A mortgage servicer is exempt from the requirements of this subsection for a mortgage loan, if the debtor is a debtor in

bankruptcy under Title 11 of the United States Code.

(b) (c) The notice required by subsection (a) (b) shall be sent: (1) not later than the date the written notice is sent under 12 CFR 1024.39; and

(2) to (1) the address of the mortgaged property; or (2) the last known mailing address of the debtor if the creditor's records indicate that the mailing address of the debtor is other than the address of the mortgaged property: to which the written notice under 12 CFR 1024.39 is sent.

The notice under subsection (b) may be included with the notice provided under 12 CFR 1024.39. If the creditor provides evidence that the notice required by subsection (a) (b) was sent by certified mail; return receipt requested; and in accordance with this subsection, it is not necessary that the debtor accept receipt of the notice for an action to proceed as allowed under this chapter.

(c) Except as provided in subsection (e) and section 10(g) of this chapter; if a creditor files an action to foreclose a mortgage; the creditor shall:

- (1) in the case of a foreclosure action filed after June 30, 2009; but before July 1, 2011; include with the complaint served on the debtor; on a form prescribed by the authority; and
- (2) subject to subsection (f); in the case of a foreclosure action filed after June 30, 2011; include on the first page of the summons that is served on the debtor in conjunction with the complaint;

a notice that informs the debtor of the debtor's right to participate in a settlement conference; subject to section 9(b) of this chapter. The notice under subdivision (1) or (2) must inform the debtor that the debtor may schedule a settlement conference by notifying the court; not later than thirty (30) days after the complaint is served on the debtor; of the debtor's intent to participate in a settlement conference.

(d) If a creditor files an action to foreclose a mortgage for which notice is required under subsection (b), the creditor shall: do the following:

- (1) include with the complaint filed with the court (A) except as provided in subsection (e) and section 10(g) of this chapter; a copy of the notices sent to the debtor under subsections (a) and (c); if the foreclosure action is filed after June 30, 2009; but before July 1, 2011; or (B) the following; if the foreclosure action is filed after June 30, 2011: (i) Except as provided in subsection (e) and section 10(g) of this chapter; a copy of the notice sent to the debtor under subsection (a); (ii) The following most recent contact information for the debtor that the creditor has on file: all telephone numbers and electronic mail addresses for the debtor and any mailing address described in subsection (b)(2). The contact information provided under this item is confidential under IC 5-14-3-4(a)(13); subsection (b); and
- (2) For a foreclosure action filed after June 30, 2011; at the time the complaint is filed with the court, send:

- (A) by certified mail, return receipt requested; and
- (B) to the last known mailing address of the insurance company;

a copy of the complaint filed with the court to the insurance

company of record for the property that is the subject of the foreclosure action.

It is not necessary that the insurance company accept receipt of the copy of the complaint for the creditor to satisfy the requirement of subdivision (2). A creditor's failure to provide a copy of the complaint as required by subdivision (2) does not affect the foreclosure action or subject the creditor to any liability. Subject to section 9(b) of this chapter; in the case of a foreclosure action filed after June 30, 2011, upon the filing of the complaint by the creditor, the court shall send to the debtor, by United States mail and to the address of the mortgaged property; or to an address for the debtor provided by the creditor under subdivision (1)(B)(ii); if applicable, a notice that informs the debtor of the debtor's right to participate in a settlement conference. The court's notice must inform the debtor that the debtor may schedule a settlement conference by notifying the court of the debtor's intent to participate in a settlement conference. The court's notice must specify a date by which the debtor must request a settlement conference; which date must be the date that is thirty (30) days after the date of the creditor's service of the complaint on the debtor under subsection (c); as determined by the court from the service list included with the complaint filed with the court. The court may not delegate the duty to send the notice the court is required to provide under this subsection to the creditor or to any other person.

(e) A creditor is not required to send the notices described in this section if:

- (1) the mortgage is secured by a dwelling that is not occupied by the debtor as the debtor's primary residence;
- (2) the mortgage has been the subject of a prior foreclosure prevention agreement under this chapter and the debtor has defaulted with respect to the terms of that foreclosure prevention agreement; or
- (3) bankruptcy law prohibits the creditor from participating in a settlement conference under this chapter with respect to the mortgage.

(f) Not later than June 1, 2011, the authority, in consultation with the division of state court administration, shall prescribe language for the notice required under subsection (c)(2) to be included on the first page of the summons that is served on the debtor in a foreclosure action filed after June 30, 2011. The language must convey the same information as the form prescribed by the authority under subsection (c)(1) for foreclosure actions filed after June 30, 2009, but before July 1, 2011. The authority shall make the language prescribed under this subsection available on the authority's Internet web site. A creditor complies with subsection (c)(2) in a foreclosure action filed after June 30, 2011, if the creditor includes on the first page of the summons served on the debtor:

- (1) the language that is prescribed by the authority under this subsection and made available on the authority's Internet web site; or
- (2) language that conveys the same information as the language that is prescribed by the authority under this subsection and made available on the authority's Internet web site.

SECTION 33. IC 32-30-10.5-8.5 IS REPEALED

[EFFECTIVE JULY 1, 2015]. Sec. 8.5: (a) This section applies to the following:

- (1) A mortgage foreclosure action with respect to which:
 - (A) the creditor has filed the complaint in the proceeding before July 1, 2011;
 - (B) the debtor has contacted the court under section 8(c) of this chapter or under section 11(b) of this chapter to schedule a settlement conference under this chapter; and
 - (C) the court having jurisdiction over the action has not:
 - (i) issued a stay in the foreclosure proceedings pending the conclusion of the settlement conference under this chapter;
 - (ii) issued a default judgment against the debtor in the action; or
 - (iii) rendered a judgment of foreclosure in the action.
- (2) A mortgage foreclosure action with respect to which:
 - (A) the creditor has filed the complaint in the proceeding after June 30, 2011; and
 - (B) the debtor has contacted the court under section 8(c) of this chapter to schedule a settlement conference under this chapter.

(b) In a mortgage foreclosure action to which this section applies, the court, notwithstanding Indiana Trial Rule 56, shall stay the granting of any dispositive motion until one (1) of the following occurs, subject to the court's right under section 10(b) of this chapter to order the creditor and the debtor to reconvene a settlement conference at any time before judgment is entered:

- (1) The court receives notice under section 10(e) of this chapter that after the conclusion of a settlement conference held under this chapter:
 - (A) the debtor and the creditor have agreed to enter into a foreclosure prevention agreement; and
 - (B) the creditor has elected under section 10(e) of this chapter to dismiss the foreclosure action for as long as the debtor complies with the terms of the foreclosure prevention agreement.
- (2) The court receives notice under section 10(f) of this chapter that after the conclusion of a settlement conference held under this chapter, the creditor and the debtor are unable to agree on the terms of a foreclosure prevention agreement.

(c) If the debtor requests a settlement conference under this chapter, the court shall treat the request as the entry of an appearance under Indiana Trial Rule 3-1(B):

SECTION 34. IC 32-30-10.5-8.6, AS ADDED BY P.L.170-2011, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 8.6. (a) This section applies to a mortgage foreclosure action that is filed after June 30, 2011.

(b) During the pendency of an action to which this section applies, regardless of any stay that is issued by the court under section 8.5 of this chapter, if the debtor continues to occupy the dwelling that is the subject of the mortgage upon which the action is based, the court may issue a provisional order that requires the debtor to continue to make monthly payments with respect to the mortgage on which the action is based. The amount of the monthly payment:

- (1) shall be determined by the court, which may base its determination on the debtor's ability to pay; and
- (2) may not exceed the debtor's monthly obligation under the mortgage at the time the action is filed.

(c) Payments made by a debtor under an order issued by the court under subsection (b) shall be made to:

- (1) the clerk of the court, who shall hold the payments in trust for the parties; or
- (2) an attorney trust account;

as directed by the court. The funds held by the clerk or in an attorney trust account under this subsection may not be disbursed unless the court issues an order for their disbursement.

(d) If the debtor and the creditor agree to enter into a foreclosure prevention agreement under section 10(e) of this chapter at any time after the debtor has made payments under an order issued by the court under subsection (b), the debtor is entitled to a credit of any amounts paid under the order.

(e) In an action to which this section applies, if:

- (1) a judgment of foreclosure is issued by the court, after the conditions set forth in section 9 of this chapter are met;
- (2) the debtor and the creditor agree to a deed in lieu of foreclosure; or
- (3) the debtor otherwise forfeits the dwelling that is the subject of the mortgage upon which the action is based;

the debtor is not entitled to a refund of any payments made under an order issued by the court under subsection (b), and any amounts held in trust by the clerk of the court or in an attorney trust fund shall be disbursed to the creditor and credited against the amount of the judgment entered against the debtor or the amount otherwise owed by the debtor.

SECTION 35. IC 32-30-10.5-9 IS REPEALED [EFFECTIVE JULY 1, 2015]. See: 9: (a) Except as provided in sections 8(e) and 10(g) of this chapter and subsection (b); and subject to section 8.5 of this chapter; after June 30, 2009; a court may not issue a judgment of foreclosure under IC 32-30-10 on a mortgage subject to this chapter unless all of the following apply:

(1) The creditor has given the notice required under section 8(c) of this chapter.

(2) One (1) of the following applies:

(A) The debtor does not contact the court within the thirty (30) day period described in section 8(c) of this chapter to schedule a settlement conference under this chapter.

(B) The debtor contacts the court within the thirty (30) day period described in section 8(c) of this chapter to schedule a settlement conference under this chapter and; upon conclusion of the settlement conference; the parties are unable to reach agreement on the terms of a foreclosure prevention agreement.

(C) In a foreclosure action filed after June 30, 2011; the debtor:

- (i) contacts the court within the thirty (30) day period described in section 8(c) of this chapter to schedule a settlement conference under this chapter; and
- (ii) does not provide to the creditor and the court at least one (1) of the documents required as part of the debtor's loss mitigation package; as specified by the

authority in the listing developed under section 10(i) of this chapter and included with the court's notice under section 10(a)(8) of this chapter; within the time specified in the court's notice under section 10(a)(3)(A) of this chapter.

(3) At least sixty (60) days have elapsed since the date the notice required by section 8(a) of this chapter was sent.

(b) If the court finds that a settlement conference would be of limited value based on the result of a prior loss mitigation effort between the creditor and the debtor:

(1) a settlement conference is not required under this chapter; and

(2) the conditions set forth in subsection (a) do not apply; and the foreclosure action may proceed as otherwise allowed by law.

SECTION 36. IC 32-30-10.5-10 IS REPEALED [EFFECTIVE JULY 1, 2015]. See: 10: (a) Unless a settlement conference is not required under this chapter; the court shall issue a notice of a settlement conference if the debtor contacts the court to schedule a settlement conference as described in section 8(c) of this chapter. The court's notice of a settlement conference must do the following:

(1) Order the creditor and the debtor to conduct a settlement conference on or before a date and time specified in the notice; which date:

(A) must not be earlier than twenty-five (25) days after the date of the notice under this section or later than sixty (60) days after the date of the notice under this section; in the case of a foreclosure action filed after June 30, 2009; but before July 1, 2011; and

(B) must not be earlier than forty (40) days after the date of the notice under this section or later than sixty (60) days after the date of the notice under this section; in the case of a foreclosure action filed after June 30, 2011;

for the purpose of attempting to negotiate a foreclosure prevention agreement.

(2) Encourage the debtor to contact a mortgage foreclosure counselor before the date of the settlement conference. The notice must provide the contact information for the Indiana Foreclosure Prevention Network.

(3) Require the debtor to do the following:

(A) In the case of a foreclosure action filed after June 30, 2011; provide; not later than a date specified in the order; which date must be the date that is thirty (30) days before the date of the settlement conference specified by the court under subdivision (1); a copy of the debtor's loss mitigation package to the following:

(i) The creditor's attorney; as identified by the creditor in the complaint; at the address specified in the complaint.

(ii) The court; at an address specified by the court.

In setting forth the requirement described in this clause; the court shall reference the listing that must be included as an attachment to the notice under subdivision (8); and shall direct the debtor to consult the attachment in compiling the debtor's loss mitigation package.

(B) Bring the following to the settlement conference:

(i) In the case of a foreclosure action filed after June 30, 2009, but before July 1, 2011, documents needed to engage in good faith negotiations with the creditor, including documentation of the debtor's present and projected future income, expenses, assets, and liabilities (including documentation of the debtor's employment history); and any other documentation or information that the court determines is needed for the debtor to engage in good faith negotiations with the creditor. The court shall identify any documents required under this item with enough specificity to allow the debtor to obtain the documents before the scheduled settlement conference.

(ii) In the case of a foreclosure action filed after June 30, 2011, the debtor's loss mitigation package.

Any document submitted to the court under this subdivision as part of the debtor's loss mitigation package is confidential under IC 5-14-3-4(a)(13).

(4) Require the creditor to do the following:

(A) In the case of a foreclosure action filed after June 30, 2011, send to the debtor, by certified mail and not later than a date specified in the order, which date must be the date that is thirty (30) days before the date of the settlement conference specified by the court under subdivision (1), the following transaction history for the mortgage:

(i) A payment record substantiating the default, such as a payment history;

(ii) An itemization of all amounts claimed by the creditor as being owed on the mortgage, such as an account payoff statement.

If the creditor provides evidence that the transaction history required by this clause was sent by certified mail, return receipt requested, it is not necessary that the debtor accept receipt of the transaction history for an action to proceed as allowed under this chapter.

(B) Bring the following to the settlement conference:

(i) A copy of the original note and mortgage.

(ii) A payment record substantiating the default, such as a payment history.

(iii) An itemization of all amounts claimed by the creditor as being owed on the mortgage, such as an account payoff statement.

(iv) Any other documentation that the court determines is needed.

(5) Inform the parties that:

(A) each party has the right to be represented by an attorney or assisted by a mortgage foreclosure counselor at the settlement conference; and

(B) subject to subsection (b), an attorney or a mortgage foreclosure counselor may participate in the settlement conference in person or by telephone.

(6) Inform the parties that the settlement conference will be conducted at the county courthouse, or at another place designated by the court, on the date and time specified in the notice under subdivision (1) unless the parties submit to the court a stipulation to:

(A) modify the date, time, and place of the settlement conference; or

(B) hold the settlement conference by telephone at a date and time agreed to by the parties.

(7) In the case of a foreclosure action filed after June 30, 2011, inform the parties of the following:

(A) That if the parties stipulate under subdivision (6) to modify the date of the settlement conference:

(i) the debtor must provide the debtor's loss mitigation package to the creditor and to the court, as described in subdivision (3), at least thirty (30) days before the settlement conference date, as modified by the parties; and

(ii) the creditor must send to the debtor, by certified mail, the transaction history described in subdivision (4)(A) at least thirty (30) days before the settlement conference date, as modified by the parties.

(B) That if the parties stipulate under subdivision (6)(B) to conduct the settlement conference by telephone, the parties shall ensure the availability of any technology needed to allow simultaneous participation in the settlement conference by all participants.

(8) In the case of a foreclosure action filed after June 30, 2011, include as an attachment the loss mitigation package listing prescribed by the authority under subsection (i).

(b) An attorney for the creditor shall attend the settlement conference, and an authorized representative of the creditor shall be available by telephone during the settlement conference. In addition, the court may require any person that is a party to the foreclosure action to appear at or participate in a settlement conference held under this chapter, and, for cause shown, the court may order the creditor and the debtor to reconvene a settlement conference at any time before judgment is entered. Any:

(1) costs to a creditor associated with a settlement conference under this chapter; or

(2) civil penalty imposed on a creditor by the court in connection with a violation of a court order issued in the case;

may not be charged to or collected from the debtor, either directly or indirectly.

(c) At the court's discretion, a settlement conference may or may not be attended by a judicial officer.

(d) The creditor shall ensure that any person representing the creditor:

(1) at a settlement conference scheduled under this section; or

(2) in any negotiations with the debtor designed to reach agreement on the terms of a foreclosure prevention agreement;

has authority to represent the creditor in negotiating a foreclosure prevention agreement with the debtor.

(e) If, as a result of a settlement conference held under this chapter, the debtor and the creditor agree to enter into a foreclosure prevention agreement, the agreement shall be reduced to writing and signed by both parties, and each party shall retain a copy of the signed agreement. Not later than seven

(7) business days after the signing of the foreclosure prevention agreement; the creditor shall file with the court a copy of the signed agreement. At the election of the creditor, the foreclosure shall be dismissed or stayed for as long as the debtor complies with the terms of the foreclosure prevention agreement.

(f) If, as a result of a settlement conference held under this chapter, the debtor and the creditor are unable to agree on the terms of a foreclosure prevention agreement:

(1) the creditor shall, not later than seven (7) business days after the conclusion of the settlement conference, file with the court a notice indicating that the settlement conference held under this chapter has concluded and a foreclosure prevention agreement was not reached; and

(2) the foreclosure action filed by the creditor may proceed as otherwise allowed by law; subject to the court's right under subsection (b) to order the creditor and the debtor to reconvene a settlement conference at any time before judgment is entered.

(g) If:

(1) a foreclosure is dismissed by the creditor under subsection (c) after a foreclosure prevention agreement is reached; and

(2) a default in the terms of the foreclosure prevention agreement later occurs;

the creditor or its assigns may bring a foreclosure action with respect to the mortgage that is the subject of the foreclosure prevention agreement without sending the notices described in section 8 of this chapter.

(h) Participation in a settlement conference under this chapter satisfies any mediation or alternative dispute resolution requirement established by court rule.

(i) Not later than June 1, 2011, the authority shall prescribe a list of documents that must be included as part of a debtor's loss mitigation package in a foreclosure action filed after June 30, 2011. In prescribing the list of documents required by this subsection, the authority:

(1) shall require those documents that:

(A) provide information about a debtor's present and projected future income, expenses, assets, and liabilities; and

(B) are necessary for a creditor to make underwriting decisions or other determinations in connection with a potential foreclosure prevention agreement with the debtor to whom the documents apply; and

(2) may amend the list:

(A) in response to changes in any federal loan modification programs; or

(B) as otherwise determined to be necessary by the authority.

The authority shall make the list prescribed under this subsection available on the authority's Internet web site. The division of state court administration shall make the list prescribed under this subsection available on the Internet web site maintained by the state's judicial branch. If the authority determines that an amendment to the list is necessary under subdivision (2), the authority shall notify the division of state court administration of the amendment as soon as practicable before the amendment

takes effect and shall update the list on the authority's Internet web site not later than the effective date of the amendment. Upon receiving notice of an amendment to the list from the authority, the division of state court administration shall update the list on the Internet web site maintained by the state's judicial branch not later than the effective date of the amendment.

SECTION 37. IC 32-30-10.5-11 IS REPEALED [EFFECTIVE JULY 1, 2015]. Sec. 11: (a) This section applies to a mortgage foreclosure action with respect to which the creditor has filed the complaint in the proceeding before July 1, 2009; and the court having jurisdiction over the proceeding has not rendered a judgment of foreclosure before July 1, 2009:

(b) In a mortgage foreclosure action to which this section applies, the court having jurisdiction of the action shall serve notice of the availability of a settlement conference under this chapter. The notice required by this section must inform the debtor that the debtor:

(1) has the right to participate in a settlement conference, subject to section 9(b) of this chapter; and

(2) may schedule a settlement conference by notifying the court, not later than thirty (30) days after the notice required by this section is served, of the debtor's intent to participate in a settlement conference.

SECTION 26. IC 32-30-10.6-1, AS AMENDED BY P.L.66-2014, SECTION 20, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2015 (RETROACTIVE)]. Sec. 1. This chapter applies to the following:

(1) a mortgage foreclosure action filed under IC 32-30-10-3.

(2) A determination that property is abandoned or vacant for purposes of IC 6-1.1-24 or IC 34-30-26-7.

SECTION 27. IC 32-30-10.6-2 IS REPEALED [EFFECTIVE JANUARY 1, 2015 (RETROACTIVE)]. Sec. 2: As used in this chapter, "enforcement authority" refers to the enforcement authority (as defined in IC 36-7-9-2) that has jurisdiction in the location of the property:

SECTION 28. IC 32-30-10.6-2.3 IS REPEALED [EFFECTIVE JANUARY 1, 2015 (RETROACTIVE)]. Sec. 2-3: As used in this chapter, "executive of a county" in a county containing a consolidated city means the executive of the consolidated city:

SECTION 29. IC 32-30-10.6-3.5 IS REPEALED [EFFECTIVE JANUARY 1, 2015 (RETROACTIVE)]. Sec. 3-5: (a) This section applies to a property whether or not there is a mortgage on the property:

(b) As an alternative to seeking a determination of abandonment under any other statute, the executive of a county, city, or town that:

(1) has jurisdiction in the location of a property; and

(2) does not have a person designated as a hearing authority; as defined by IC 36-7-9-2;

may petition a court for a determination that the property is abandoned:

(c) A petition filed with the court under this section must do all the following:

(1) Include a statement of the enforcement authority's

jurisdiction in the location of the property:

(2) ~~Allege that the property is abandoned:~~

(3) ~~Include evidence that one (1) or more of the conditions set forth in section 5(a) or 5(b) of this chapter apply:~~

(d) ~~A petition under this section shall be served on:~~

(1) ~~the creditor and the debtor, if the property is subject to a mortgage; and~~

(2) ~~any other appropriate party;~~

~~in the manner prescribed by the Indiana Rules of Trial Procedure."~~

Page 35, delete lines 1 through 31.

Page 35, line 35, after "creditor" delete ",".

Page 35, line 35, strike "an".

Page 35, line 36, strike "enforcement authority,".

Page 35, line 36, delete "or an executive of a county, city, or town".

Page 35, line 38, strike "or 3.5".

Page 37, delete lines 32 through 35.

Page 37, line 36, delete "(14)" and insert "(12)".

Page 37, line 37, delete "(15)" and insert "(13)".

Page 37, line 40, delete "(16)" and insert "(14)".

Page 38, line 3, delete "or hearing authority".

Page 38, line 5, delete "or the date specified by the hearing authority under" and insert ";".

Page 38, line 6, delete "IC 36-7-9;".

Page 38, line 8, delete "or before the hearing" and insert ";".

Page 38, delete lines 9 through 10.

Page 38, line 12, delete "or hearing authority".

Page 38, line 16, delete "or hearing authority".

Page 38, delete lines 19 through 35, begin a new paragraph and insert:

"SECTION 29. IC 32-30-10.6-6 IS REPEALED [EFFECTIVE JANUARY 1, 2015 (RETROACTIVE)]. Sec. 6:

(a) This section applies only to a petition by the executive of a county, city, or town for a court order of abandonment.

(b) ~~Instead of providing notice at least one hundred twenty (120) days before the date of a certification under IC 6-1.1-24-1.5, the executive of the county, city, or town that is filing the petition may provide the notice referred to IC 6-1.1-24-2.3 at least one hundred twenty (120) days before a petition is filed under section 3.5 of this chapter.~~

(c) ~~A court order of abandonment under this chapter authorizes the sale of the property and transfer of the deed of the property under IC 6-1.1-24-1.5.~~

SECTION 30. IC 36-7-37 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2015 (RETROACTIVE)]:

Chapter 37. Determination of Abandoned Property

Sec. 1. As an alternative to seeking a determination of abandonment under any other statute:

(1) the executive of a county, city, or town that has jurisdiction in the location of a property may petition a court for a determination that the property is abandoned; or

(2) an enforcement authority, as defined by IC 36-7-9-2, may seek a determination from a hearing authority under IC 36-7-9. The hearing authority may make a determination of abandonment using the standards set

forth in IC 32-30-10.6-5 after notice to the owner and a hearing under IC 36-7-9-7.

Sec. 2. A petition filed with the court under this chapter or an order by an enforcement authority under IC 36-7-9-7 with respect to property for which a determination of abandonment is being sought under this chapter must do all the following:

(1) Include a statement of the jurisdiction of the county, city, or town in the location of the property.

(2) Allege that the property is abandoned.

(3) Include evidence that one (1) or more of the conditions set forth in IC 32-30-10.6-5(a), which constitute prima facie evidence, apply.

(4) Include a statement that if the property is determined to be abandoned and any property taxes are delinquent, the property may be sold by the county at tax sale and the owner will have no right of redemption with respect to the property after the sale.

Sec. 3. A petition under this section or an order by an enforcement authority under IC 36-7-9-7 with respect to property for which a determination of abandonment is being sought under this chapter shall be served on:

(1) any person with a substantial property interest of public record in the tract of real property; and

(2) any other appropriate party;

in the manner prescribed by the Indiana Rules of Trial Procedure in the case of a petition or in the manner prescribed by IC 36-7-9-7 in the case of an order by an enforcement authority.

Sec. 4. Upon receiving a request for a determination of abandonment from an enforcement authority, or an executive of a county, city, or town through a petition or motion filed with the court and served on the required parties in accordance with this chapter, the court shall issue an order to show cause as to why the property should not be found to be abandoned and directing the petitioner, the debtor, and any other person or party the court considers appropriate to appear before the court on a date and time specified in the order under subdivision (1). The court's order under this section must do the following:

(1) Direct the parties subject to the order to appear before the court on a date and time specified by the court. The date specified under this subdivision must not be:

(A) earlier than fifteen (15) days; or

(B) later than twenty-five (25) days;

after the date of the court's order under this section.

(2) Notify the parties subject to the order that any party ordered to appear:

(A) may present evidence or objections on the issue of abandonment to the court:

(i) in writing before the appearance date specified by the court under subdivision (1); or

(ii) in writing or by oral testimony on the date and at the time specified by the court under subdivision (1);

in the manner specified by the court; and

(B) has the right to be represented by an attorney

when appearing before the court.

(3) Notify the parties subject to the order that if a party fails to:

(A) submit written evidence or objections to the court before the appearance date specified by the court under subdivision (1); or

(B) appear before the court on the date and at the time specified by the court under subdivision (1); the party's failure to submit evidence or objections or to appear before the court will result in a finding of abandonment by the court.

Sec. 5. A party subject to an order issued by the court under this chapter has the following rights, as described in the court's order under section 4 of this chapter:

(1) The right to present evidence or objections on the issue of abandonment to the court:

(A) in writing before the appearance date specified in the court's order under section 4(1) of this chapter; or

(B) in writing or by oral testimony on the date and at the time specified in the court's order under section 4(1) of this chapter;

in the manner specified by the court.

(2) The right to be represented by an attorney when appearing before the court.

Sec. 6. (a) This section applies to:

(1) a petition by the executive of a county, city, or town for a court order of abandonment; and

(2) an order by an enforcement authority under IC 36-7-9-7.

(b) Instead of providing notice at least one hundred twenty (120) days before the date of a certification under IC 6-1.1-24-1.5, the executive of the county, city, or town that is filing the petition or the enforcement authority that issued the order under IC 36-7-9-7 may provide the notice referred to in IC 6-1.1-24-2.3 at least one hundred twenty (120) days before the petition is filed under this chapter or the order is sent under IC 36-7-9-7.

(c) A court order or hearing authority determination of abandonment under this chapter authorizes the sale of the property and transfer of the deed of the property under IC 6-1.1-24."

Renumber all SECTIONS consecutively.

(Reference is to SB 415 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 8, Nays 0.

HEAD, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Judiciary, to which was referred Senate Bill 422, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

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

"SECTION 1. IC 33-23-18 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]:

Chapter 18. Courthouse Security Fund

Sec. 1. As used in this chapter, "fund" refers to the courthouse security fund established under section 2 of this chapter.

Sec. 2. (a) The courthouse security fund is established.

(b) The fund may be used only to pay for the costs of installing, operating, maintaining, and upgrading security measures, plans, procedures, and systems in and around:

(1) courtrooms; and

(2) buildings that contain courtrooms.

(c) The fund shall be administered by the Indiana judicial center.

(d) The fund consists of court security fees transferred to the fund by the auditor of state under:

(1) IC 33-37-7-2(o); and

(2) IC 33-37-7-8(k).

(e) The expenses of administering the fund shall be paid from money in the fund.

(f) Money in the fund is continually appropriated to carry out the purposes of the fund.

Sec. 3. (a) The Indiana judicial center may award a grant from the fund to a county, city, or town to pay for the costs of installing, operating, maintaining, and upgrading security measures, plans, procedures, and systems in and around:

(1) courtrooms; and

(2) buildings that contain courtrooms.

(b) To receive a grant under this section, one (1) or more courts in a county must submit an application to the Indiana judicial center:

(1) on a form; and

(2) in the manner;

prescribed by the Indiana judicial center. The application shall be completed in collaboration with the county sheriff and the county fiscal body (for a county court) or the city or town fiscal body (for a city or town court).

(c) The Indiana judicial center shall determine the amount of a grant awarded under this chapter, giving due consideration to:

(1) the security needs of the city, town, or county;

(2) the security needs of other cities, towns, and counties; and

(3) any existing or proposed court security plan (as described in supreme court administrative rule 19).

(d) Any part of an application or grant submitted or awarded under this chapter that describes existing or proposed security measures is confidential."

Page 1, line 3, after "33." insert "(a)".

Page 1, between lines 7 and 8, begin a new paragraph and insert:

"(b) This section expires July 1, 2019."

Page 6, line 6, delete "each county. The" and insert "the courthouse security fund established by IC 33-23-18-2. This subsection expires July 1, 2019."

Page 6, delete lines 7 through 10.

Page 8, line 42, delete "each county." and insert "**the courthouse security fund established by IC 33-23-18-2. This subsection expires July 1, 2019.**".

Page 9, delete lines 1 through 24.

Renumber all SECTIONS consecutively.

(Reference is to SB 422 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 7, Nays 2.

STEELE, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Tax & Fiscal Policy, to which was referred Senate Bill 423, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 4, line 5, after "(1)" delete "If" and insert "**Notwithstanding section 2.5 of this chapter, if**".

Page 6, line 26, after "(e)." insert "**A taxpayer and a township or county official may still enter into an agreement under section 1(i) of this chapter and not be subject to the requirements of this section.**".

Page 7, line 25, delete "appeal a stipulated determination entered by the" and insert "**initiate a proceeding for review of a stipulated determination entered by the county board under subsection (g) before the Indiana board under section 3 of this chapter.**".

Page 7, delete line 26.

Page 7, delete lines 40 through 42, begin a new paragraph and insert:

"(h) A taxpayer or a township or county official may initiate a proceeding for review of a stipulated determination entered by a county board under this section before the Indiana board as required by section 3 of this chapter."

Delete page 8.

Page 9, delete lines 1 through 35.

Page 13, delete lines 39 through 42, begin a new paragraph and insert:

"SECTION 8. IC 6-1.1-28-0.1 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2016]: Sec. 0.1. (a) This section applies beginning January 1, 2016.**

(b) The legislative bodies of two (2) or more counties may adopt substantially similar ordinances to establish a multiple county property tax assessment board of appeals. The multiple county property tax assessment board of appeals must consist of the entire geographic area of all participating counties."

Page 14, delete lines 1 through 7.

Page 14, between lines 26 and 27, begin a new line block indented and insert:

"(3) An appraiser (as defined in IC 6-1.1-31.7-1) in a county that is in the geographic area encompassing the multiple county property tax assessment board of appeals."

Page 14, delete lines 38 through 42, begin a new paragraph

and insert:

"SECTION 10. IC 6-1.1-28-0.3 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2016]: Sec. 0.3. The members of the multiple county property tax assessment board of appeals established under section 0.1 of this chapter shall receive compensation as determined jointly by the fiscal bodies of each participating county.**".

Page 15, delete lines 1 through 2.

Page 15, line 6, after "is" delete ":".

Page 15, line 7, delete "(1)".

Page 15, line 8, delete "; and".

Page 15, delete line 9.

Page 15, run in lines 6 through 10.

Page 15, line 16, after "that" delete ":".

Page 15, line 17, delete "(1)".

Page 15, line 18, delete "; and".

Page 15, delete line 19.

Page 15, run in lines 16 through 20.

Page 15, line 34, delete "Beginning after".

Page 15, line 35, delete "December 31, 2015, a" and insert "A".

Page 15, line 40, delete "0.1(c)" and insert "**0.1**".

Page 15, line 41, delete "After December 14, 2015, and before January 1, 2016, a" and insert "A".

Page 16, line 1, delete "not excluded under section 0.1(b) of this chapter" and insert "**participating in a multiple county property tax assessment board of appeals**".

Page 16, line 4, delete "established under section 0.1(c) of this" and insert ".".

Page 16, delete line 5.

Page 16, line 6, delete "After December 14, 2015, and before January 1, 2016, a" and insert "A".

Page 16, line 8, delete "is not excluded under section 0.1(b) of this chapter" and insert "**adopts the necessary ordinance to participate in a multiple county property tax assessment board of appeals**".

Page 16, line 21, delete "December 31, 2015." and insert "**the multiple county property tax assessment board of appeals is established.**".

Page 16, line 23, after "after" insert "**the multiple county property tax assessment board of appeals is established and until the proceeding is docketed with the multiple county property tax assessment board of appeals.**".

Page 16, delete line 24.

Page 16, line 27, delete "auditor's" and insert "assessor".

Page 16, line 28, delete "office for" and insert "of".

Page 16, line 32, delete "auditor's office" and insert "assessor".

Page 16, delete lines 35 through 42, begin a new line block indented and insert:

**"(1) publication of the notice within the geographic area over which the board has jurisdiction in the same manner as political subdivisions subject to IC 5-3-1-4(e) are required to publish notice; and
(2) the posting of the notice on the county assessor's Internet web site."**

Page 17, delete lines 1 through 11.

Page 17, line 17, delete ":".

Page 17, line 18, delete "(1)".

Page 17, line 23, delete "; and" and insert ".".

Page 17, run in lines 17 through 23.

Page 17, delete lines 24 through 25.

Page 17, line 28, after "county" insert **"that is not participating in a multiple county property tax assessment board of appeals."**

Page 17, delete line 29.

Page 17, line 30, delete "with a population greater than seventy-five".

Page 17, line 31, delete "thousand (75,000)".

Page 21, delete lines 21 through 36, begin a new paragraph and insert:

"SECTION 20. IC 6-1.1-28-6 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2016]: Sec. 6. **This section applies to a county property tax assessment board of appeals established under section 1 of this chapter.** The county assessor shall give notice of the time, place, and purpose of each annual session of the county property tax assessment board. The county assessor shall give the notice two (2) weeks before the first meeting of the board by:

(1) **the publication:**

(A) in two (2) newspapers of general circulation which are published in the county; ~~and which represent different political parties;~~ or

(2) ~~publication~~ (B) in one (1) newspaper of general circulation published in the county if the requirements of clause (1) of this section (A) cannot be satisfied; ~~or and~~ (3) ~~(2) the posting in three (3) public places in each township of the county if a newspaper of general circulation is not published in the county.~~ **of the notice on the county assessor's Internet web site."**

Page 23, line 25, after "determined" insert **"jointly"**.

Page 23, line 25, delete "body," and insert **"bodies of the participating counties,"**.

Page 23, line 26, delete "county included within a".

Page 24, line 42, delete "is the same as" and insert **"shall be determined jointly by the fiscal bodies of the counties participating in the multiple county property tax assessment board of appeals."**

Page 25, delete lines 1 through 2.

Page 25, delete lines 24 through 33.

Renumber all SECTIONS consecutively.

(Reference is to SB 423 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 13, Nays 0.

HERSHMAN, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Judiciary, to which was referred Senate Bill 433, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

Committee Vote: Yeas 8, Nays 1.

STEELE, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Health & Provider Services, to which was referred Senate Bill 460, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 1, delete lines 1 through 16.

Page 2, delete lines 1 through 29.

Page 4, line 19, delete "submitted to" and insert **"approved by"**.

Page 4, between lines 23 and 24, begin a new line double block indented and insert:

"(F) A certificate of occupancy has been received by the comprehensive care health facility not later than September 30, 2015."

Page 5, between lines 35 and 36, begin a new line block indented and insert:

"(6) A comprehensive care health facility that undergoes a change of ownership for purposes of:

(A) the granting of a license by the state department to operate the comprehensive care health facility; and

(B) the maintenance for any of the beds in the comprehensive care health facility, including Medicaid certified beds, by the entity granted a license by the state department.

However, any other limitation not specified in this subdivision but set forth in this chapter applies to a comprehensive care health facility that undergoes a change of ownership."

Renumber all SECTIONS consecutively.

(Reference is to SB 460 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 6, Nays 2.

PATRICIA MILLER, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Appropriations, to which was referred Senate Bill 476, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 1, delete lines 1 through 16, begin a new paragraph and insert:

"SECTION 1. IC 6-1.1-18-12, AS AMENDED BY P.L.2-2014, SECTION 20, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 12. (a) For purposes of this section, "maximum rate" refers to the maximum:

(1) property tax rate or rates; or

(2) special benefits tax rate or rates; referred to in the statutes listed in subsection (d).

(b) The maximum rate for taxes first due and payable after 2003 is the maximum rate that would have been determined under subsection (e) for taxes first due and payable in 2003 if subsection (e) had applied for taxes first due and payable in 2003.

(c) The maximum rate must be adjusted each year to account for the change in assessed value of real property that results from:

- (1) an annual adjustment of the assessed value of real property under IC 6-1.1-4-4.5;
- (2) a general reassessment of real property under IC 6-1.1-4-4; or
- (3) a reassessment under a county's reassessment plan prepared under IC 6-1.1-4-4.2.

(d) The statutes to which subsection (a) refers are:

- (1) IC 8-10-5-17;
- (2) IC 8-22-3-11;
- (3) IC 8-22-3-25;
- (4) IC 12-29-1-1;
- (5) IC 12-29-1-2;
- (6) IC 12-29-1-3;
- (7) IC 12-29-3-6;
- (8) IC 13-21-3-12;
- (9) IC 13-21-3-15;
- (10) IC 14-27-6-30;
- (11) IC 14-33-7-3;
- (12) IC 14-33-21-5;
- (13) IC 15-14-7-4;
- (14) IC 15-14-9-1;
- (15) IC 15-14-9-2;
- (16) IC 16-20-2-18;
- (17) IC 16-20-4-27;
- (18) IC 16-20-7-2;
- (19) IC 16-22-14;
- (20) IC 16-23-1-29;
- (21) IC 16-23-3-6;
- (22) IC 16-23-4-2;
- (23) IC 16-23-5-6;
- (24) IC 16-23-7-2;
- (25) IC 16-23-8-2;
- (26) IC 16-23-9-2;
- (27) IC 16-41-15-5;
- (28) IC 16-41-33-4;
- (29) IC 20-46-2-3 (before its repeal on January 1, 2009);
- (30) IC 20-46-6-5;
- (31) IC 20-49-2-10;
- (32) IC 36-1-19-1;
- (33) IC 23-14-66-2;
- (34) IC 23-14-67-3;
- (35) IC 36-7-13-4;
- (36) IC 36-7-14-28;
- (37) IC 36-7-15.1-16;
- (38) IC 36-8-19-8.5;
- (39) IC 36-9-6.1-2;
- (40) IC 36-9-17.5-4;

- (41) IC 36-9-27-73;
- (42) IC 36-9-29-31;
- (43) IC 36-9-29.1-15;
- (44) IC 36-10-6-2;
- (45) IC 36-10-7-7;
- (46) IC 36-10-7-8;
- (47) IC 36-10-7.5-19;
- (48) IC 36-10-13-5;
- (49) IC 36-10-13-7;
- (50) IC 36-10-14-4;
- (51) IC 36-12-7-7;
- (52) IC 36-12-7-8;
- (53) IC 36-12-12-10;
- (54) a statute listed in IC 6-1.1-18.5-9.8; and
- (55) any statute enacted after December 31, 2003, that:

(A) establishes a maximum rate for any part of the:

(i) property taxes; or

(ii) special benefits taxes;

imposed by a political subdivision; and

(B) does not exempt the maximum rate from the adjustment under this section.

(e) For property tax rates imposed for property taxes first due and payable after December 31, 2013, the new maximum rate under a statute listed in subsection (d) is the tax rate determined under STEP EIGHT of the following STEPS:

STEP ONE: Except as provided in subsection (g), determine the maximum rate for the political subdivision levying a property tax or special benefits tax under the statute for the previous calendar year.

STEP TWO: Determine the actual percentage change (rounded to the nearest one-hundredth percent (0.01%)) in the assessed value of the taxable property from the previous calendar year to the year in which the affected property taxes will be imposed.

STEP THREE: Determine the three (3) calendar years that immediately precede the year in which the affected property taxes will be imposed.

STEP FOUR: Compute separately, for each of the calendar years determined in STEP THREE, the actual percentage change (rounded to the nearest one-hundredth percent (0.01%)) in the assessed value (before the adjustment, if any, under IC 6-1.1-4-4.5) of the taxable property from the preceding year.

STEP FIVE: Divide the sum of the three (3) quotients computed in STEP FOUR by three (3).

STEP SIX: Determine the greater of the following:

(A) Zero (0).

(B) The STEP FIVE result.

STEP SEVEN: Determine the greater of the following:

(A) Zero (0).

(B) The result of the STEP TWO percentage minus the STEP SIX percentage, if any.

STEP EIGHT: Determine the quotient of the STEP ONE tax rate divided by the sum of one (1) plus the STEP SEVEN percentage, if any.

(f) The department of local government finance shall compute the maximum rate allowed under subsection (e) and provide the

rate to each political subdivision with authority to levy a tax under a statute listed in subsection (d).

(g) This subsection applies only when calculating the maximum rate for taxes due and payable in calendar year 2013. The STEP ONE result is the greater of the following:

(1) The actual maximum rate established for property taxes first due and payable in calendar year 2012.

(2) The maximum rate that would have been established for property taxes first due and payable in calendar year 2012 if the maximum rate had been established under the formula under this section, as amended in the 2012 session of the general assembly.

(h) This subsection applies only when calculating the maximum rate allowed under subsection (e) for the Vincennes Community School Corporation with respect to property taxes first due and payable in 2014. The subsection (e) STEP ONE result for the school corporation's capital projects fund is nineteen and forty-two hundredths cents (\$.1942).

(i) This subsection applies only when calculating the maximum rate for a school corporation's capital projects fund for taxes due and payable in calendar year 2016. The subsection (e) STEP ONE result for purposes of the calculation of that maximum rate is the greater of the following:

(1) The actual maximum rate established for the school corporation's capital projects fund for property taxes first due and payable in calendar year 2015.

(2) The maximum rate that would have been established for the school corporation's capital projects fund for property taxes first due and payable in calendar year 2015 if the formula specified in subsection (e) had been in effect for the determination of maximum rates for each calendar year after 2006."

Page 2, delete lines 1 through 33.

Re-number all SECTIONS consecutively.

(Reference is to SB 476 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 12, Nays 0.

KENLEY, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Pensions & Labor, to which was referred Senate Bill 492, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 1, line 15, delete "or" and insert "**and**".

Page 1, after line 16, begin a new paragraph and insert:

"SECTION 3. IC 5-10.2-2-6, AS AMENDED BY P.L.35-2012, SECTION 34, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 6. (a) The retirement allowance account of the public employees' retirement fund consists of the retirement fund, exclusive of the annuity savings account. The retirement allowance account also includes any amounts received under ~~IC 5-10.3-12-24(b)~~ **IC 5-10.3-12-24 or IC 5-10.3-12-24.5**. For the public employees' retirement fund,

separate accounts within the retirement allowance account shall be maintained for contributions made by each contribution rate group.

(b) The retirement allowance account of the pre-1996 account consists of the pre-1996 account, exclusive of the annuity savings account.

(c) The retirement allowance account of the 1996 account consists of the 1996 account, exclusive of the annuity savings account."

Page 2, line 19, delete "may" and insert "**shall**".

Page 2, between lines 32 and 33, begin a new paragraph and insert:

"(e) If the board determines contributions and contribution rates for one (1) or more employers under this section differ from the contributions and contribution rates determined by the actuarial investigation under section 9 of this chapter, the board shall notify the interim study committee for pension management oversight of this fact by reporting the board's action to the legislative services agency in an electronic format under IC 5-14-6."

Page 3, line 35, delete "members." and insert "**members attributable to service with the withdrawing participating entity.**".

Page 3, line 37, delete "payments determined by the board." and insert "**payments.**".

Page 4, line 1, delete "benefit." and insert "**benefit attributable to service with the withdrawing participating entity.**".

Page 4, line 2, after "payments" insert ".".

Page 4, delete line 3.

Page 4, line 16, after "of" insert "**payments.**".

Page 4, delete line 17.

Page 4, line 24, after "which" insert "**newly hired employees of**".

Page 4, line 27, after "which" insert "**newly hired employees of**".

Page 4, line 31, after "which" insert "**newly hired employees of**".

Page 4, line 34, after "which" insert "**newly hired employees of**".

Page 5, line 28, delete "members." and insert "**members attributable to service with the freezing participating entity. The board shall collaborate with the freezing participating entity by sharing the actuarial method and report.**".

Page 5, line 29, after "payments" insert ".".

Page 5, delete line 30.

Page 5, line 39, after "payments" insert ".".

Page 5, delete line 40.

Page 6, line 4, after "entity." insert "**In addition, the freezing participating entity must contribute to the fund the amount the board determines is necessary to fund fully the benefits attributable to service with the freezing participating entity that are vested or will become vested and are not expected to be fully funded through the continuing contributions under section 11 of this chapter during the duration of their employment with the freezing participating entity. The contribution by the freezing participating entity must be**

made in a lump sum or in a series of payments."

Page 6, delete lines 33 through 42, begin a new paragraph and insert:

"SECTION 8. IC 5-10.2-2-23 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 23. If any provision of this article, IC 5-10.3, or IC 5-10.4 allows the state as an employer to make an election or take discretionary action, the election or discretionary action shall be taken by the following entities, as applicable:**

- (1) The governor, if the election or discretionary action involves an elected officer, appointed officer, or employee of the executive branch.
- (2) The legislative council, if the election or discretionary action involves a senator, a representative, or an employee of the legislative branch.
- (3) The chief justice of the supreme court, if the election or discretionary action involves:
 - (A) a justice;
 - (B) a judge;
 - (C) a prosecuting attorney;
 - (D) an officer paid by the state under IC 33-23-5-10, IC 33-38-5-7, or IC 33-39-6-2; or
 - (E) an employee of the judicial branch of state government."

Page 7, delete lines 1 through 30.

Page 9, between lines 24 and 25, begin a new paragraph and insert:

"SECTION 11. IC 5-10.3-6-0.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 0.5. As used in this chapter, "plan" refers to the public employees' defined contribution plan under IC 5-10.3-12.**

SECTION 12. IC 5-10.3-6-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 1. (a) ~~By ordinance or resolution of~~ The governing body of a political subdivision may adopt an ordinance or resolution specifying ~~by a departmental, occupational, or other definable classification~~ the of employees:**

- (1) ~~who will are required to~~ become members of the fund;
- (2) ~~who are required to become members of the plan; or~~
- (3) ~~who may each elect whether to become members of the fund or members of the plan.~~

A political subdivision may become a participant in the fund **or the plan, or both, as applicable**, if the ordinance or resolution is filed with and approved by the board.

(b) An ordinance or resolution adopted under subsection (a) that includes a provision described under subsection (a)(3) may also include one (1) of the following provisions:

- (1) **If an employee who may elect whether to become a member of the fund or a member of the plan does not make an election under IC 5-10.3-7-1.1, the employee becomes a member of the plan.**
- (2) **If an employee who may elect whether to become a member of the fund or a member of the plan does not make an election under IC 5-10.3-12-20.5, the employee becomes a member of the fund.**

If an ordinance or resolution adopted under subsection (a)

that includes a provision described under subsection (a)(3) does not include either of the provisions described in subdivisions (1) or (2), subdivision (1) applies to the departmental, occupational, or other definable classification of employees that may elect to become members of the fund or members of the plan.

(c) If an ordinance or resolution adopted under subsection (a) includes a provision described under subsection (a)(2) or (a)(3), or both, the ordinance or resolution may include a specification of the political subdivision's contribution rate to the plan as a percentage of each member's compensation. Each year, the political subdivision's contribution rate specified under this subsection must be greater than or equal to zero percent (0%) and may not exceed the percentage that would produce the normal cost for participation in the fund under IC 5-10.2-2-11, if the political subdivision were a participant in the fund. If a provision specifying the political subdivision's contribution rate is not included in the ordinance or resolution, the political subdivision's contribution rate to the plan is zero percent (0%).

(d) If an ordinance or resolution adopted under subsection (a) includes a provision described under subsection (a)(2) or (a)(3), or both, the ordinance or resolution may include a specification of the political subdivision's matching rate that is the percentage of each member's additional contributions to the plan that the political subdivision will match. A political subdivision may specify only:

- (1) zero percent (0%); or
- (2) fifty percent (50%).

If a provision specifying the political subdivision's matching rate is not included in the ordinance or resolution, the political subdivision's matching rate for the plan is zero percent (0%).

(~~b~~) (e) A governing body may include in its ordinance or resolution adopted under subsection (a) a determination of the date from which prior service for its employees will be computed. Creditable service for these employees is determined under IC 5-10.3-7-7.5.

(~~c~~) (f) The effective date of participation is the earlier of January 1 or July 1 after the date of approval. However, no retirement benefit may be paid until six (6) months after the effective date of participation.

SECTION 13. IC 5-10.3-6-1.5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 1.5. (a) This section applies to a third class city or a town.**

(b) The clerk-treasurer of a city or town is that city's or town's authorized agent for all matters concerning the fund and the plan.

SECTION 14. IC 5-10.3-6-4, AS AMENDED BY P.L.23-2011, SECTION 18, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 4. The board shall maintain separate accounts for each contribution rate group. Credits and charges to these accounts shall be made as prescribed in IC 5-10.2-2 and IC 5-10.3-12, as applicable.**

SECTION 15. IC 5-10.3-6-7, AS AMENDED BY P.L.115-2009, SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 7. (a) If the employer or political subdivision fails to make payments**

required by this chapter, the amount payable may be:

- (1) withheld by the auditor of state from moneys payable to the employer or subdivision and transferred to the fund **or the plan, as applicable**; or
- (2) recovered in a suit in the circuit or superior court of the county in which the political subdivision is located. The suit shall be an action by the state on the relation of the board, prosecuted by the attorney general.

(b) If:

- (1) service credit is verified for a member who has filed an application for retirement benefits; and
- (2) the member's employer at the time the service credit was earned has not made contributions for or on behalf of the member for the service credit;

liability for the unfunded service credit shall be charged against the employer's account and collected by the fund as provided in subsection (a). Processing of a member's application for retirement benefits may not be delayed by an employer's failure to make contributions for the service credit earned by the member while the member was employed by the employer.

(c) If the employer or political subdivision fails to file the reports or records required by this chapter or by IC 5-10.3-7-12.5, the auditor of state shall:

- (1) withhold the penalty described in IC 5-10.3-7-12.5 from money payable to the employer or the political subdivision; and
- (2) transfer the penalty to the fund **or the plan, as applicable.**"

Page 10, line 20, delete "." and insert "**attributable to service with the withdrawing political subdivision.**"

Page 10, line 28, delete "." and insert "**attributable to service with the withdrawing political subdivision.**"

Page 11, line 21, after "which" insert "**newly hired employees of**".

Page 11, line 24, after "which" insert "**newly hired employees of**".

Page 11, line 28, after "which" insert "**newly hired employees of**".

Page 11, line 31, after "which" insert "**newly hired employees of**".

Page 12, line 19, delete "members." and insert "**members attributable to service with the freezing political subdivision.**"

Page 12, line 36, after "subdivision." insert "**In addition, the freezing political subdivision must contribute to the fund the amount the board determines is necessary to fund fully the benefits attributable to service with the freezing political subdivision that are vested, or will become vested, and are not anticipated to be fully funded through the continuing contributions under IC 5-10.2-2-11 during the duration of their employment with the freezing political subdivision. The contribution by the freezing participating entity must be made in a lump sum or in a series of payments determined by the board.**"

Page 13, delete lines 21 through 42.

Delete pages 14 through 15.

Page 16, delete lines 1 through 3.

Page 18, line 1, delete "or of a".

Page 18, line 2, delete "participating political subdivision in a covered position".

Page 18, between lines 8 and 9, begin a new paragraph and insert:

"(f) An individual:

- (1) who becomes a full-time employee of a political subdivision in a covered position after June 30, 2015;**
- (2) who is employed by a political subdivision that has elected in an ordinance or resolution adopted under IC 5-10.3-6-1 and approved by the board to require an employee in the covered position to become a member of the fund; and**
- (3) who is not excluded from membership under section 2 of this chapter;**

becomes a member of the fund on the date the individual's employment begins.

(g) An individual:

- (1) who becomes a full-time employee of a political subdivision in a covered position after June 30, 2015;**
- (2) who is employed by a political subdivision that has elected in an ordinance or resolution adopted under IC 5-10.3-6-1 and approved by the board:**

(A) to allow an employee in the covered position to become a member of the fund or a member of the public employee's defined contribution plan at the discretion of the employee; and

(B) to require an employee in a covered position to make an election under IC 5-10.3-12-20.5 in order to become a member of the plan;

- (3) who does not make an election under IC 5-10.3-12-20.5 to become a member of the public employees' defined contribution plan; and**
- (4) who is not excluded from membership under section 2 of this chapter;**

becomes a member of the fund on the date the individual's employment begins.

(h) An individual:

- (1) who becomes a full-time employee of a political subdivision in a covered position after June 30, 2015;**
- (2) who is employed by a political subdivision that has elected in an ordinance or resolution adopted under IC 5-10.3-6-1 and approved by the board:**

(A) to allow an employee in the covered position to become a member of the fund or the public employees' defined contribution plan at the discretion of the employee; and

(B) to require an employee to make an election under section 1.1 of this chapter in order to become a member of the fund;

- (3) who does make an election under section 1.1 of this chapter to become a member of the fund; and**
- (4) who is not excluded from membership under section 2 of this chapter;**

becomes a member of the fund on the date the individual's employment begins."

Page 18, delete lines 9 through 26, begin a new paragraph and insert:

"SECTION 20. IC 5-10.3-7-1.1 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 1.1. (a) An individual:**

- (1) who becomes a full-time employee of the state (as defined in section 1 of this chapter) after June 30, 2015; and
- (2) who is not excluded from membership under section 2 of this chapter;

may elect to become a member of the fund.

(b) An individual:

- (1) who becomes a full-time employee of a political subdivision in a covered position after June 30, 2015;
- (2) who is employed by a political subdivision that has elected in an ordinance or resolution adopted under IC 5-10.3-6-1 and approved by the board:

(A) to allow an employee in the covered position to become a member of the fund or the public employees' defined contribution plan at the discretion of the employee; and

(B) to require an employee to make an election under this section in order to become a member of the fund; and

- (3) who is not excluded from membership under section 2 of this chapter;

may elect to become a member of the fund.

(c) An election under this section:

- (1) must be made in writing on a form prescribed by the board;
- (2) must be filed with the board; and
- (3) is irrevocable.

(d) An individual who:

- (1) is eligible to make the election under this section; and
- (2) does not make the election;

becomes a member of the public employees' defined contribution plan.

SECTION 21. IC 5-10.3-7-7.5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 7.5. Notwithstanding IC 5-10.2-3-1, for the purpose of computing benefits the creditable service of a member covered by an ordinance or resolution adopted by a political subdivision's governing body under ~~IC 5-10.3-6-1(b)~~ **IC 5-10.3-6-1(e)** excludes all service with the political subdivision before the prior service credit date contained in the resolution. However, service with the political subdivision before the prior service credit date shall be considered for the purpose of determining eligibility for benefits."

Page 18, line 31, delete "IC 5-10.3-6, IC 5-10.3-6.5," and insert "IC 5-10.3-6".

Page 18, line 42, after "IC 5-10.3-6-7" insert ";".

Page 18, line 42, delete "or".

Page 19, line 1, delete "IC 5-10.3-6.5-8;".

Page 19, line 5, after "IC 5-10.3-6-7" insert ".".

Page 19, line 5, delete "or IC 5-10.3-6.5-8."

Page 19, line 13, after "IC 5-10.2-2-11" insert ",".

Page 19, line 14, delete "or".

Page 19, line 14, delete ";" and insert ", or

IC 5-10.3-12-24.5;".

Page 21, delete lines 2 through 42, begin a new paragraph and insert:

"SECTION 24. IC 5-10.3-12-1, AS AMENDED BY P.L.54-2013, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 1. (a) Except as otherwise provided in subsection ~~(e)~~, **this section**, this chapter applies to **the following:**

(1) An individual who:

(A) on or after the effective date of the plan ~~(1)~~ **and before July 1, 2015**, becomes for the first time a full-time employee of the state: ~~(as defined in IC 5-10.3-7-1(d))~~:

~~(A)~~ (i) in a position that would otherwise be eligible for membership in the fund under IC 5-10.3-7; and

~~(B)~~ (ii) who is paid by the auditor of state by salary warrants; and

~~(2)~~ (B) makes the election described in section 20 of this chapter to become a member of the plan.

(2) An individual who:

(A) after June 30, 2015, becomes for the first time a full-time employee of the state:

(i) in a position that would otherwise be eligible for membership in the fund under IC 5-10.3-7; and

(ii) who is paid by the auditor of state by salary warrants; and

(B) does not make the election under IC 5-10.3-7-1.1 to become a member of the fund.

(3) An individual:

(A) who becomes a full-time employee of a participating political subdivision in a covered position after June 30, 2015;

(B) who would otherwise be eligible for membership in the fund under IC 5-10.3-7; and

(C) who is employed by a political subdivision that has elected in an ordinance or resolution adopted under IC 5-10.3-6-1 and approved by the board to require an employee in the covered position to become a member of the plan.

(4) An individual:

(A) who becomes a full-time employee of a political subdivision in a covered position after June 30, 2015;

(B) who would otherwise be eligible for membership in the fund under IC 5-10.3-7;

(C) who is employed by a political subdivision that has elected in an ordinance or resolution adopted under IC 5-10.3-6-1 and approved by the board:

(i) to allow an employee in the covered position to become a member of the fund or a member of the plan at the discretion of the employee; and

(ii) to require an employee in a covered position to make an election under section 20.5 of this chapter in order to become a member of the plan; and

(D) who makes an election under section 20.5 of this chapter to become a member of the plan.

(5) An individual:

(A) who becomes a full-time employee of a political subdivision in a covered position after June 30, 2015;
 (B) who would otherwise be eligible for membership in the fund under IC 5-10.3-7;

(C) who is employed by a political subdivision that has elected in an ordinance or resolution adopted under IC 5-10.3-6-1 and approved by the board:

- (i) to allow an employee in the covered position to become a member of the fund or a member of the plan at the discretion of the employee; and
- (ii) to require an employee to make an election under IC 5-10.3-7-1.1 in order to become a member of the fund; and

(D) who does not make an election under IC 5-10.3-7-1.1 to become a member of the fund.

(b) Except as provided in subsection (c), this chapter does not apply to an individual who, on or after the effective date of the plan:

(1) becomes for the first time a full-time employee of the state ~~(as defined in IC 5-10.3-7-1(d))~~ in a position that would otherwise be eligible for membership in the fund under IC 5-10.3-7; and

(2) is employed by:

- (A) a body corporate and politic of the state created by state statute; or
- (B) a state educational institution (as defined in IC 21-7-13-32).

(c) The chief executive officer of a body or institution described in subsection (b) may elect, by submitting a written notice of the election to the director, to have this chapter apply to individuals who, as employees of the body or institution, become for the first time full-time employees of the state ~~(as defined in IC 5-10.3-7-1(d))~~ in positions that would otherwise be eligible for membership in the fund under IC 5-10.3-7. An election under this subsection is effective on the later of:

- (1) the date the notice of the election is received by the director; or
- (2) March 1, 2013.

(d) This chapter does not apply to ~~an individual who:~~ the following:

(1) ~~An individual who before the effective date of the plan,~~ is or was a member (as defined in IC 5-10.3-1-5) of the fund ~~or before otherwise becoming eligible to become a member of the plan.~~

(2) ~~An individual who:~~

(A) on or after the effective date of the plan ~~and before July 1, 2015,~~ ~~(A)~~ except as provided in subsection (c), becomes for the first time a full-time employee of the state: ~~(as defined in IC 5-10.3-7-1(d)):~~

- (i) in a position that would otherwise be eligible for membership in the fund under IC 5-10.3-7; and
- (ii) who is not paid by the auditor of state by salary warrants; or

(B) does not elect to participate in the plan.

(3) ~~An individual who:~~

(A) is eligible to make the election under IC 5-10.3-7-1.1 to become a member of the fund; and
 (B) does make the election under IC 5-10.3-7-1.1 to

become a member of the fund.

(4) ~~An individual who is required to become a member of the fund."~~

Delete page 22.

Page 23, delete lines 1 through 3.

Page 23, line 20, delete "IC 5-10.3-6.5." and insert "IC 5-10.3-6."

Page 23, between lines 35 and 36, begin a new paragraph and insert:

"SECTION 30. IC 5-10.3-12-20.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: **Sec. 20.5. (a) This section applies to an individual described in section 1(a)(4) of this chapter who is otherwise eligible to become a member of the plan.**

(b) An individual described in subsection (a) may elect to become a member of the plan on the date the individual begins the individual's employment in a covered position with a political subdivision that participates in the plan.

(c) An election under this section:

- (1) must be made in writing;**
- (2) must be filed with the board, on a form prescribed by the board; and**
- (3) is irrevocable.**

(d) An individual described in subsection (a) who does not elect to become a member of the plan becomes a member (as defined in IC 5-10.3-1-5) of the fund.

SECTION 31. IC 5-10.3-12-21, AS AMENDED BY P.L.35-2012, SECTION 84, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: **Sec. 21. (a) The plan consists of the following:**

- (1) Each member's contributions to the plan under section 23 of this chapter.
- (2) Contributions made by an employer to the plan on behalf of each member under section 24 ~~or 24.5~~ of this chapter.
- (3) Rollovers to the plan by a member under section 29 of this chapter.
- (4) All earnings on investments or deposits of the plan.
- (5) All contributions or payments to the plan made in the manner provided by the general assembly.

(b) The plan shall establish an account for each member. A member's account consists of two (2) subaccounts credited individually as follows:

- (1) The member contribution subaccount consists of:
 - (A) the member's contributions to the plan under section 23 of this chapter; and
 - (B) the net earnings on the contributions described in clause (A) as determined under section 22 of this chapter.
- (2) The employer contribution subaccount consists of:
 - (A) the employer's contributions made on behalf of the member to the plan under section 24 ~~or 24.5~~ of this chapter; and
 - (B) the earnings on the contributions described in clause (A) as determined under section 22 of this chapter.

The board may combine the two (2) subaccounts established under this subsection into a single account, if the board

determines that a single account is administratively appropriate and permissible under applicable law.

(c) If a member makes rollover contributions under section 29 of this chapter, the plan shall establish a rollover account as a separate subaccount within the member's account."

Page 24, line 2, delete "or state educational institution".

Page 24, line 18, delete "or a state educational institution".

Page 24, delete lines 24 through 42, begin a new paragraph and insert:

"SECTION 33. IC 5-10.3-12-24, AS ADDED BY P.L.22-2011, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 24. (a) The state shall make employer contributions to the plan based on the rate determined under this section.

(b) The ~~employer's state's~~ contribution rate for the plan ~~shall be~~ is equal to the employer's contribution rate for the fund as determined by the board under IC 5-10.2-2-11(b). The amount credited from the employer's contribution rate to the member's account shall not be greater than the normal cost of the fund. Any amount not credited to the member's account shall be applied to the unfunded accrued liability of the fund as determined under IC 5-10.2-2-11(a)(3) and IC 5-10.2-2-11(a)(4).

(c) The state's minimum contribution under this section is equal to three percent (3%) of the compensation of all members of the plan **who are employees of the state.**

(d) The state shall submit the employer contributions determined under this section as provided in IC 5-10.2-2-12.5.

SECTION 34. IC 5-10.3-12-24.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 24.5. (a) A participating political subdivision shall make employer contributions to the plan based on the rate determined under this section.**

(b) A participating political subdivision's contribution rate for the plan is equal to the sum of:

(1) the contribution rate determined by the participating political subdivision under IC 5-10.3-6-1(c); and

(2) the sum, for each member employed by the participating political subdivision, of:

(A) the member's additional contribution to the plan under section 23(b) of this chapter; multiplied by
(B) the participating political subdivision's matching rate determined under IC 5-10.3-6-1(d).

(c) For each employee of a participating political subdivision, the amount credited to the member's account is the part of the employer's contribution determined under subsection (b) that is attributable to the member's compensation and the member's additional contributions.

(d) A participating political subdivision shall submit the employer contributions determined under this section as provided in IC 5-10.2-2-12.5."

Page 25, delete lines 1 through 3.

Page 28, between lines 20 and 21, begin a new paragraph and insert:

"SECTION 46. IC 36-8-8-11.5, AS AMENDED BY P.L.35-2012, SECTION 125, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 11.5. (a) **This**

subsection applies to a fund member who is less than fifty-five (55) years of age on the date on which the fund member retires. Not less than thirty (30) days after a fund member retires from a position covered by this chapter, the fund member may:

(1) be rehired by the same unit that employed the fund member in a position covered by this chapter for a position not covered by this chapter; and

(2) continue to receive the fund member's retirement benefit under this chapter.

(b) This subsection applies to a fund member who is at least fifty-five (55) years of age on the date on which the fund member retires. In accordance with the federal Pension Protection Act of 2006 (P.L.109-280) and unless otherwise prohibited by law, a fund member may:

(1) be rehired by the same unit that employed the fund member in a position covered by this chapter for a position not covered by this chapter without a minimum period of separation from employment; and
(2) continue to receive the fund member's retirement benefit under this chapter.

~~(b)~~ (c) This section may be implemented unless the system board receives from the Internal Revenue Service a determination that prohibits the implementation."

Renumber all SECTIONS consecutively.

(Reference is to SB 492 as introduced.)

and when so amended that said bill do pass and be reassigned to the Senate Committee on Appropriations.

Committee Vote: Yeas 8, Nays 1.

BOOTS, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Education & Career Development, to which was referred Senate Bill 495, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 2, line 1, after "Holocaust" insert "**and the study of cultural, ethnic, and racial groups,**".

Page 2, line 1, delete "and" and insert ".".

Page 2, delete lines 2 through 3.

Page 2, delete lines 10 through 15.

(Reference is to SB 495 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 8, Nays 2.

KRUSE, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Local Government, to which was referred Senate Bill 514, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

Committee Vote: Yeas 6, Nays 0.

HEAD, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Appropriations, to which was referred Senate Bill 517, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.
Committee Vote: Yeas 9, Nays 0.

KENLEY, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Local Government, to which was referred Senate Bill 531, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 17, delete lines 13 through 27, begin a new paragraph and insert:

"SECTION 11. IC 6-1.1-24-6.2, AS ADDED BY P.L.203-2013, SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 6.2. (a) This section applies to real property located within the municipal boundaries of a city or town.

(b) Before:

- (1) the transfer of real property under section 6.7 of this chapter;
- (2) the sale of real property under section 6.8 of this chapter; ~~or~~
- (3) the transfer of real property under section 6.9 of this chapter; ~~or~~
- (4) the assignment of a tax sale certificate under section 17 of this chapter;**

the county executive of the county in which the real property is located shall notify the executive of the city or town in which the real property is located of the opportunity to accept a transfer of the property to the city or town as negotiated between the city or town and the county.

(c) After receiving notice from a county executive under subsection (b), the executive of the city or town shall respond to the notice not later than twenty (20) days after the executive receives the notice."

Page 18, delete lines 40 through 42, begin a new paragraph and insert:

"SECTION 14. IC 6-1.1-24-6.7, AS AMENDED BY P.L.203-2013, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 6.7. **(a) For purposes of this section, in a county containing a consolidated city "county executive" refers to the board of commissioners of the county as provided in IC 36-3-3-10.**

(b) A county executive may transfer to a nonprofit entity:

- (1) property under this section; or**
- (2) a tax sale certificate under section 17 of this chapter.**

(c) As used in this section, "nonprofit entity" means an organization exempt from federal income taxation under 26 U.S.C. 501(c)(3).

~~(a)~~ **(d)** The county executive may:

- (1) by resolution, identify the property described under

section 6 of this chapter that the county executive desires to transfer to ~~a nonprofit corporation~~ **entities** for use for the public good; and

(2) set a date, time, and place for a public hearing to consider the transfer of the property to ~~a nonprofit corporation.~~ **entities.**

~~(b)~~ **(e)** Notice of the property identified under subsection ~~(a)~~ **(d)** and the date, time, and place for the hearing on the proposed transfer of the property on the list shall be published in accordance with IC 5-3-1. The notice must include a description of the property by:

- (1) legal description; and
- (2) parcel number or street address, or both.

The notice must specify that the county executive will accept applications submitted by nonprofit ~~corporations~~ **entities** as provided in subsection ~~(d)~~ **(g)** and hear any opposition to a proposed transfer.

~~(e)~~ **(f)** After the hearing set under subsection ~~(a)~~ **(d)**, the county executive shall by resolution make a final determination concerning:

- (1) the properties that are to be transferred to a nonprofit ~~corporation;~~ **entity;**
- (2) the nonprofit ~~corporation~~ **entity** to which each property is to be transferred; and
- (3) the terms and conditions of the transfer.

~~(d)~~ **(g)** To be eligible to receive property under this section, a nonprofit ~~corporation~~ **entity** must file an application with the county executive. The application must state the property that the ~~corporation~~ **nonprofit entity** desires to acquire, the use to be made of the property, and the time period anticipated for implementation of the use. The application must be accompanied by documentation verifying the nonprofit status of the ~~corporation~~ **entity** and be signed by an officer of the ~~corporation.~~ **nonprofit entity**. If more than one (1) application for a single property is filed, the county executive shall determine which application is to be accepted based on the benefit to be provided to the public and the neighborhood and the suitability of the stated use for the property and the surrounding area.

~~(e)~~ **(h)** After the hearing set under subsection ~~(a)~~ **(d)** and the final determination of properties to be transferred under subsection ~~(e)~~ **(f)**, the county executive, on behalf of the county, shall cause all delinquent taxes, special assessments, penalties, interest, and costs of sale to be removed from the tax duplicate and the nonprofit ~~corporation~~ **entity** is entitled to a tax deed prepared by the county auditor, if the conditions of IC 6-1.1-25-4.5 and IC 6-1.1-25-4.6 are satisfied. The deed shall provide for:

- (1) the use to be made of the property;
- (2) the time within which the use must be implemented and maintained;
- (3) any other terms and conditions that are established by the county executive; and
- (4) the reversion of the property to the county executive if the grantee nonprofit ~~corporation~~ **entity** fails to comply with the terms and conditions.

If the grantee nonprofit ~~corporation~~ **entity** fails to comply with the terms and conditions of the transfer and title to the property

reverts to the county executive, the property may be retained by the county executive or disposed of under any of the provisions of this chapter or IC 6-1.1-25, or both."

Delete page 19.

Page 20, delete lines 1 through 30.

Page 27, between lines 9 and 10, begin a new paragraph and insert:

"SECTION 19. IC 6-1.1-24-17 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: **Sec. 17. (a) For purposes of this section, in a county containing a consolidated city "county executive" refers to the board of commissioners of the county as provided in IC 36-3-3-10.**

(b) As used in this section, "nonprofit entity" means an organization exempt from federal income taxation under 26 U.S.C. 501(c)(3).

(c) The county executive may by resolution:

(1) identify tax sale certificates issued under section 6 of this chapter that the county executive desires to assign to one (1) or more nonprofit entities; and

(2) set a date, time, and place for a public hearing to consider the assignment of the tax sale certificates to the nonprofit entities.

(d) Notice of the tax sale certificates identified under subsection (c) and the date, time, and place for the hearing on the proposed transfer of the tax sale certificates on the list shall be published in accordance with IC 5-3-1. The notice must include a description of the properties associated with the tax sale certificates being considered for assignment by:

(1) parcel number;

(2) legal description; and

(3) street address or other common description.

The notice must specify that the county executive will hear any opposition to the proposed assignments.

(e) After the hearing set under subsection (c), the county executive shall by resolution make a final determination concerning:

(1) the tax sale certificates that are to be assigned to a nonprofit entity;

(2) the nonprofit entity to which each tax sale certificate is to be assigned; and

(3) the terms and conditions of the assignment.

(f) If a county executive assigns a tax sale certificate to a nonprofit entity under this section, the period of redemption of the real property under IC 6-1.1-25 expires one hundred twenty (120) days after the date of the assignment to the nonprofit entity. If a nonprofit entity takes assignment of a tax sale certificate under this section, the nonprofit entity acquires the same rights and obligations as a purchaser of a tax sale certificate under section 6.1 of this chapter."

Page 27, line 15, reset in roman "(f);".

Page 27, line 15, delete "(f);" and insert "(f),".

Page 27, line 15, delete "(e),".

Page 27, line 17, reset in roman "(g);".

Page 27, line 19, delete "(f),".

Page 27, line 20, reset in roman "(g),".

Page 27, line 20, delete "(f),".

Page 27, line 31, reset in roman "(g),".

Page 27, line 31, delete "(f),".

Page 27, line 41, reset in roman "(g),".

Page 27, line 41, delete "(f),".

Page 28, line 7, reset in roman "(g),".

Page 28, line 7, delete "(f),".

Page 28, reset in roman lines 19 through 21.

Page 28, line 21, after "accrued" insert "**and are delinquent**".

Page 28, reset in roman line 22.

Page 28, line 23, reset in roman "(g)".

Page 28, line 23, delete "(f)".

Page 28, line 25, reset in roman "(f),".

Page 28, line 25, delete "(e),".

Page 39, delete lines 3 through 13.

Renumber all SECTIONS consecutively.

(Reference is to SB 531 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 6, Nays 0.

HEAD, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Corrections & Criminal Law, to which was referred Senate Bill 551, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass and be reassigned to the Senate Committee on Appropriations.

Committee Vote: Yeas 9, Nays 0.

M. YOUNG, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Corrections & Criminal Law, to which was referred Senate Bill 559, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

Committee Vote: Yeas 6, Nays 2.

M. YOUNG, Chair

Report adopted.

SENATE MOTION

Madam President: I move that the following resolutions be adopted:

SCR 14 Senator Patricia Miller

A concurrent resolution honoring Barbara Fowler.

LONG

Motion prevailed.

RESOLUTIONS ON FIRST READING

Senate Concurrent Resolution 14

Senate Concurrent Resolution 14, introduced by Senator Patricia Miller:

A CONCURRENT RESOLUTION honoring Barbara Fowler.

Whereas, There are few people who are as dedicated and committed to the Marion County Republican Party as Barbara Fowler;

Whereas, Barbara began working with the Marion County Republican Party in 1968 and has served as a Vice Precinct Committeeman, Precinct Committeeman, Ward Chairman, Assistant Area Chairman, member of Women In Neighborhood Service, Board Member for Greater Indianapolis Republican Women's Club, member of the SCORE club, and board member for the Warren Township GOP Club;

Whereas, Barbara Fowler also served during the campaigns for Richard Lugar, Bill Hudnut, and Steve Goldsmith and was influential in assisting Mayor Ballard in winning two terms;

Whereas, Barbara Fowler was the logical person to fill the vacancy as Warren Township Chairman when the position became available;

Whereas, Barbara Fowler is considered by many to be the hardest working person in the history of Republican politics;

Whereas, In addition to working in many capacities for the Marion County Republican Party, Barbara also worked for Mayor Bill Hudnut beginning in 1976, the Warren Township Small Claims Court in 1991, and voters registration for several years;

Whereas, In recognition of her years of dedicated service to the Republican Party, Barbara Fowler has recently been named as the 2014 Warren Township Republican of the Year; and

Whereas, Dedication and hard work such as this deserve special recognition: Therefore,

Be it resolved by the Senate of the General Assembly of the State of Indiana, the House of Representatives concurring:

SECTION 1. That the Indiana General Assembly recognizes Barbara Fowler for her years of dedicated service to the Marion County Republican Party and wishes her well in all her future endeavors and a speedy recovery.

SECTION 2. That copies of this resolution be transmitted by the Secretary of the Senate to Barbara Fowler and her family.

The resolution was read in full and adopted by voice vote. The Chair instructed the Secretary to inform the House of the passage of the resolution. House sponsors: Representatives Kirchhofer and Frizzell.

SENATE BILLS ON SECOND READING

Senate Bill 120

Senator Glick called up Senate Bill 120 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 182

Senator Lanane called up Senate Bill 182 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 211

Senator Patricia Miller called up Senate Bill 211 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 251

Senator Kenley called up Senate Bill 251 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 280

Senator Yoder called up Senate Bill 280 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 282

Senator Walker called up Senate Bill 282 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 326

Senator Head called up Senate Bill 326 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 358

Senator Grooms called up Senate Bill 358 for second reading. The bill was read a second time by title.

SENATE MOTION (Amendment 358-1)

Madam President: I move that Senate Bill 358 be amended to read as follows:

Page 7, line 5, strike "physician." and insert "**person described in subsection (b)(1) through (b)(3).**".

(Reference is to SB 358 as printed January 28, 2015.)

GROOMS

Motion prevailed. The bill was ordered engrossed.

Senate Bill 372

Senator Patricia Miller called up Senate Bill 372 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 420

Senator Grooms called up Senate Bill 420 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 473

Senator Charbonneau called up Senate Bill 473 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 474

Senator Charbonneau called up Senate Bill 474 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

SENATE MOTION

Madam President: I move that Engrossed Senate Bill 174, which is eligible for third reading, be returned to second reading for purposes of amendment.

M. YOUNG

Motion prevailed.

ENGROSSED SENATE BILLS ON THIRD READING

Engrossed Senate Bill 12

Senator Buck called up Engrossed Senate Bill 12 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning courts and court officers.

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

Roll Call 57: yeas 27, nays 20. 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 Steuerwald.

Engrossed Senate Bill 38

Senator Steele called up Engrossed Senate Bill 38 for third reading:

A BILL FOR AN ACT to amend the Indiana Code 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 58: yeas 43, 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 sponsor: Representative Steuerwald.

Engrossed Senate Bill 123

Senator Becker called up Engrossed Senate Bill 123 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning

higher education.

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

Roll Call 59: yeas 47, 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 Sullivan, McNamara and Riecken.

Engrossed Senate Bill 166

Senator Patricia Miller called up Engrossed Senate Bill 166 for third reading:

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

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

Roll Call 60: yeas 47, 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 Frizzell, Kirchhofer, Bacon and C. Brown.

Engrossed Senate Bill 293

Senator Patricia Miller called up Engrossed Senate Bill 293 for third reading:

A BILL FOR AN ACT to amend the Indiana Code 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 61: yeas 47, 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 Clere and C. Brown.

Engrossed Senate Bill 424

Senator Becker called up Engrossed Senate Bill 424 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning military and veterans.

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

Roll Call 62: yeas 47, 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 Richardson and Saunders.

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed Senate Concurrent Resolution 5 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 1188, 1025, 1053, 1101, 1109, 1138, 1141, 1150, 1157, 1159, 1216, 1236, 1282, 1305, 1307, 1318, 1362, 1434, 1454 and 1466 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 13 and the same is herewith transmitted for further action.

M. CAROLINE SPOTTS
Principal Clerk of the House

SENATE MOTION

Madam President: I move that Senator Long be removed as first author and Senator Buck be substituted therefor of Senate Bill 72.

LONG

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Leising be added as third author and Senator Raatz be added as coauthor of Senate Bill 469.

HOUCHIN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Leising be added as second author and Senator Steele be added as coauthor of Senate Bill 99.

ZAKAS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Bassler be added as second author of Senate Bill 60.

KRUSE

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Stoops be added as coauthor of Senate Bill 472.

MERRITT

Motion prevailed.

SENATE MOTION

Madam President: I move that Senators Breaux and Taylor be added as coauthors of Senate Bill 415.

MERRITT

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator A. Banks be added as second author, Senator Buck be added as third author, and Senator Walker be added as coauthor of Senate Bill 127.

HOLDMAN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senators Zakas, Taylor, Delph, Randolph and Buck be added as coauthors of Senate Bill 375.

HOUCHIN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Randolph be added as coauthor of Senate Bill 473.

CHARBONNEAU

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator M. Young be added as second author of Senate Bill 363.

BRODEN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Randolph be added as coauthor of Senate Bill 474.

CHARBONNEAU

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lanane be added as second author and Senator Arnold be added as coauthor of Senate Bill 252.

KENLEY

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Buck be added as second author and Senators Yoder, M. Young, Kruse, and Tomes be added as coauthors of Senate Joint Resolution 2.

STEELE

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Head be added as second author of Senate Bill 469.

HOUCHIN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Kenley be added as second author of Senate Bill 426.

HOUCHIN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Crider be added as second author, Senator Merritt be added as third author, and Senators Schneider, Waltz and M. Young be added as coauthors of Senate Concurrent Resolution 14.

PATRICIA MILLER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator M. Young be added as second author and Senator Schneider be added as coauthor of Senate Bill 551.

WALTZ

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Taylor be added as third author and Senator Eckerty be added as coauthor of Senate Bill 517.

M. YOUNG

Motion prevailed.

SENATE MOTION

Madam President: I move that Senators Raatz and Rogers be added as coauthors of Senate Bill 476.

HEAD

Motion prevailed.

SENATE MOTION

Madam President: I move that Senators Raatz and Rogers be

added as coauthors of Senate Bill 259.

GROOMS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Grooms be added as second author of Senate Bill 364.

BRODEN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Patricia Miller be added as second author, Senator Stoops be added as third author, and Senator Charbonneau be added as coauthor of Senate Bill 403.

LANANE

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Taylor be added as coauthor of Senate Bill 211.

PATRICIA MILLER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Stoops be added as coauthor of Senate Bill 473.

CHARBONNEAU

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lanane be added as coauthor of Senate Bill 286.

TOMES

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Rogers be added as coauthor of Senate Bill 443.

KRUSE

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Taylor be added as coauthor of Senate Bill 261.

M. YOUNG

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Taylor be added as coauthor of Senate Bill 551.

WALTZ

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Delph be added as second author of Senate Bill 528.

PETE MILLER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Arnold be added as coauthor of Senate Bill 31.

ZAKAS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Crider be added as second author of Senate Bill 120.

GLICK

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Raatz be added as coauthor of Senate Bill 356.

GROOMS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senators Delph and Randolph be added as coauthors of Senate Bill 324.

HEAD

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Becker be added as second author of Senate Bill 485.

CRIDER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Delph be added as second author of Senate Bill 487.

GLICK

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Stoops be added as coauthor of Senate Bill 460.

PATRICIA MILLER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Pete Miller be added as second author of Senate Bill 443.

KRUSE

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Kruse be added as second author of Senate Bill 500.

PETE MILLER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Delph be added as coauthor of Senate Bill 424.

BECKER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senators Crider and Eckerty be added as coauthors of Engrossed Senate Bill 424.

BECKER

Motion prevailed.

SENATE MOTION

Madam President: I move we adjourn until 1:30 p.m., Monday, February 2, 2015.

LONG

Motion prevailed.

The Senate adjourned at 2:33 p.m.

JENNIFER L. MERTZ
Secretary of the Senate

SUE ELLSPERMANN
President of the Senate