



# Journal of the House

State of Indiana

119th General Assembly

First Regular Session

Twelfth Day

Thursday Morning

January 29, 2015

The invocation was offered by Pastor Kurt Ebert of the Calvary Lutheran Church in Indianapolis, a guest of Representative Robert W. Behning.

The House convened at 10:30 a.m. with Speaker Brian C. Bosma in the Chair.

The Pledge of Allegiance to the Flag was led by Representative Randolph P. Truitt.

The Speaker ordered the roll of the House to be called:

Arnold	Klinker
Austin	Koch
Aylesworth	Lawson
Bacon	Lehe
Baird	Lehman
Bartlett	Leonard
Bauer	Lucas
Behning	Macer
Beumer	Mahan
Borders	Mayfield
Braun	McMillin
C. Brown	McNamara
T. Brown	D. Miller
Burton	Moed
Carbaugh	Morris
Cherry	Morrison
Clere	Moseley
Cook	Negele
Cox	Niezugodski
Culver	Nisly
Davisson	Ober
DeLaney	Olthoff
Dermody	Pelath
DeVon	Pierce
Dvorak	Porter
Eberhart	Price
Errington	Pryor
Fine	Rhoads
Forestal	Richardson
Friend	Riecken
Frizzell	Saunders
Frye	Schaibley
GiaQuinta	Shackleford
Goodin	Slager
Gutwein	Smaltz
Hale	M. Smith
Hamm	V. Smith
Harman	Soliday
Harris	Speedy
Heaton	Stemler
Huston	Steuerwald
Judy	Sullivan
Karickhoff	Summers
Kersey □	Thompson
Kirchhofer	Torr

Truitt  
Ubelhor  
VanNatter  
Washburne  
Wesco

Wolkins  
Wright  
Zent  
Ziemke  
Mr. Speaker

Roll Call 46: 99 present; 1 excused. The Speaker announced a quorum in attendance. [NOTE: □ indicates those who were excused.]

### HOUSE MOTION

Mr. Speaker: I move that when we do adjourn, we adjourn until Monday, February 2, 2015, at 1:30 p.m.

FRIEND

The motion was adopted by a constitutional majority.

### REPORTS FROM COMMITTEES

#### COMMITTEE REPORT

Mr. Speaker: Your Committee on Elections and Apportionment, to which was referred House Bill 1140, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to HB 1140 as introduced.)

Committee Vote: Yeas 11, Nays 0.

SMITH M, Chair

Report adopted.

#### COMMITTEE REPORT

Mr. Speaker: Your Committee on Public Health, to which was referred House Bill 1183, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 2, line 31, delete "Schedule II".

Page 2, line 34, strike "for at least one (1) year after graduating from a physician".

Page 2, line 35, strike "assistant program approved by the committee."

Page 2, line 36, reset in roman "for at least one thousand eight hundred (1,800) hours."

Page 3, line 6, delete ":",

Page 3, strike lines 7 through 8.

Page 3, line 9, strike "(2)".

Page 4, line 27, delete "." and insert "**, which is appropriate for the maintenance of quality medical care.**".

Page 4, line 30, after "encounter" insert "**, which is appropriate for the maintenance of quality medical care,**".

Page 4, line 39, delete "." and insert "**, which is appropriate for the maintenance of quality medical care.**".

Page 5, line 18, delete "or" and insert ":",

Page 5, line 19, after "IC 25-27.5" insert "**, or an advanced practice nurse licensed under IC 25-23 with prescriptive authority**".

Page 5, line 22, delete "or" and insert ",".

Page 5, line 23, after "IC 25-27.5" insert ", or an advanced practice nurse licensed under IC 25-23 with prescriptive authority".

Page 5, line 27, after "physician" insert ",".

Page 5, line 28, delete "or".

Page 5, line 28, after "assistant" insert ", or advanced practice nurse".

Page 6, line 4, delete "or" and insert ",".

Page 6, line 5, after "IC 25-27.5" insert ", or an advanced practice nurse licensed under IC 25-23 with prescriptive authority".

Page 6, line 7, after "the physician" insert ",".

Page 6, line 7, delete "or".

Page 6, line 8, after "assistant" insert ", or advanced practice nurse".

Page 6, line 8, delete "or" and insert ",".

Page 6, line 8, after "assistant's" insert ", or advanced practice nurse's".

(Reference is to HB 1183 as introduced.)  
and when so amended that said bill do pass.

Committee Vote: yeas 13, nays 0.

CLERE, Chair

Report adopted.

#### COMMITTEE REPORT

Mr. Speaker: Your Committee on Environmental Affairs, to which was referred House Bill 1185, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to HB 1185 as introduced.)

Committee Vote: Yeas 11, Nays 0.

WOLKINS, Chair

Report adopted.

#### COMMITTEE REPORT

Mr. Speaker: Your Committee on Roads and Transportation, to which was referred House Bill 1278, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to HB 1278 as introduced.)

Committee Vote: Yeas 13, Nays 0.

SOLIDAY, Chair

Report adopted.

#### COMMITTEE REPORT

Mr. Speaker: Your Committee on Financial Institutions, to which was referred House Bill 1287, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 24, line 34, delete "A" and insert "**Subject to subsection (7), a**".

Page 25, between lines 37 and 38, begin a new paragraph and insert:

**"(7) Notwithstanding IC 24-4.5-1-301.5(39), for purposes of subsection (2), a person "regularly engages" in any of the activities described in subsection (2) with respect to a small loan if the person:**

**(a) performed any of the activities described in subsection (2) with respect to a small loan at least one (1) time in the preceding calendar year; or**

**(b) performs or will perform any of the activities described in subsection (2) with respect to a small loan at least one (1) time in the current calendar year if the**

**person did not perform any of the activities described in subsection (2) with respect to a small loan at least one (1) time in the preceding calendar year."**

Page 26, line 39, delete "coerce" and insert "**compel**".

Page 29, delete lines 13 through 22.

Page 51, line 39, after "(30)" insert "**Not later than seventy-five (75)**".

Page 51, line 39, reset in roman "days after receiving the certified copies".

Page 51, line 40, reset in roman "of the minutes".

Page 51, line 40, delete "An" and insert "an".

Renumber all SECTIONS consecutively.

(Reference is to HB 1287 as introduced.)  
and when so amended that said bill do pass.

Committee Vote: yeas 12, nays 0.

BURTON, Chair

Report adopted.

#### COMMITTEE REPORT

Mr. Speaker: Your Committee on Courts and Criminal Code, to which was referred House Bill 1302, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill **be amended** as follows:

Page 5, line 11, after "address." insert "**However, if a court has no discretion in granting an expungement petition under this chapter, the prosecuting attorney is not required to inform the victim of the victim's rights under this subsection.**".

Page 6, after line 34, begin a new paragraph and insert:

"SECTION 4. IC 35-38-9-10, AS AMENDED BY P.L.181-2014, SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 10. (a) This section does not apply to a person to whom sealed records may be disclosed under section 6(a)(2) of this chapter.

(b) It is unlawful discrimination for any person to:

- (1) suspend;
- (2) expel;
- (3) refuse to employ;
- (4) refuse to admit;
- (5) refuse to grant or renew a license, permit, or certificate necessary to engage in any activity, occupation, or profession; or
- (6) otherwise discriminate against;

any person because of a conviction or arrest record expunged or sealed under this chapter.

(c) The civil rights of a person whose conviction has been expunged shall be restored, including the right to vote, to hold public office, and to serve as a juror.

(d) In any application for employment, a license, or other right or privilege, a person may be questioned about a previous criminal record only in terms that exclude expunged convictions or arrests, such as: "Have you ever been arrested for or convicted of a crime that has not been expunged by a court?".

(e) A person whose record is expunged shall be treated as if the person had never been convicted of the offense. However, upon a subsequent arrest or conviction for an unrelated offense, the prior expunged conviction:

- (1) may be considered by the court in determining the sentence imposed for the new offense;
- (2) is a prior unrelated conviction for purposes of:
  - (A) a habitual offender enhancement; and
  - (B) enhancing the new offense based on a prior conviction; and
- (3) may be admitted as evidence in the proceeding for a new offense as if the conviction had not been expunged.

(f) Any person that discriminates against a person as described in subsection (b) commits a Class C infraction and may be held in contempt by the court issuing the order of

expungement or by any other court of general jurisdiction. Any person may file a written motion of contempt to bring an alleged violation of this section to the attention of a court. In addition, the person is entitled to injunctive relief.

(g) In any judicial or administrative proceeding alleging negligence or other fault, an order of expungement may be introduced as evidence of the person's exercise of due care in hiring, retaining, licensing, certifying, admitting to a school or program, or otherwise transacting business or engaging in activity with the person to whom the order of expungement was issued.

(h) A conviction that has been expunged under this chapter is not admissible as evidence in an action for negligent hiring, admission, or licensure against a person or entity who relied on the order.

(i) ~~A petition for expungement and an order for expungement are confidential.~~

SECTION 5. IC 35-38-9-12 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: **Sec. 12. A hearing on a petition for expungement shall be held in open court. If:**

- (1) a petition for expungement is granted; and
- (2) an order for expungement is issued;

**by the court, the petition and the order for expungement become confidential."**

(Reference is to HB 1302 as introduced.) and when so amended that said bill do pass.

Committee Vote: yeas 12, nays 0.

WASHBURNE, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Roads and Transportation, to which was referred House Bill 1338, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, line 8, delete "is" and insert "**or recyclable materials are**".

Page 1, line 8, delete "to:" and insert "**to a:**".

Page 1, line 9, after "(1)" delete "a".

Page 1, line 10, delete "or".

Page 1, line 11, delete "a".

Page 1, line 11, delete "facility." and insert "**facility; or (3) materials recovery facility.**".

(Reference is to HB 1338 as introduced.) and when so amended that said bill do pass.

Committee Vote: yeas 10, nays 0.

SOLIDAY, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Financial Institutions, to which was referred House Bill 1340, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to HB 1340 as introduced.)

Committee Vote: Yeas 11, Nays 0.

BURTON, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Insurance, to which was referred House Bill 1341, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill **be amended** as follows:

Page 18, line 41, delete "criterium" and insert "**criterion**".

Page 20, delete lines 18 through 21.

Page 37, delete line 37, begin a new paragraph and insert: "**Chapter 14. Group Insurance for Members of the Armed Forces**".

Page 38, delete lines 4 through 29, begin a new paragraph and insert:

"**Sec. 2. As used in this chapter, "casualty insurance company" has the meaning set forth in IC 27-1-2-3(t).**

**Sec. 3. As used in this chapter, "group" means a group of individuals who:**

- (1) have similar professional attributes;
- (2) belong to the group for purposes other than that of obtaining insurance; and
- (3) are eligible to purchase motor vehicle insurance.

**Sec. 4. As used in this chapter, "group administrator" means:**

- (1) the officers or directors of; or
  - (2) another person legally vested with the responsibility to manage the affairs of;
- a group of members of the armed forces.

**Sec. 5. As used in this chapter, "group motor vehicle insurance policy" means a policy of insurance that provides motor vehicle insurance to participating members of the armed forces under one (1) master policy:**

- (1) that is issued to a group administrator; and
- (2) under which individual certificates, each with separate limits of liability and coverage, are issued to participating group members.

**Sec. 6. As used in this chapter, "motor vehicle insurance" means the type of insurance described in IC 27-1-5-1, Class 2(f).**

**Sec. 7. An insurer that is authorized under IC 27-1-3-20 to:**

- (1) transact business as a casualty insurance company; and
- (2) offer motor vehicle insurance;

**may provide a group motor vehicle insurance policy.** SECTION 31. IC 27-7-15 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]:

**Chapter 15. Group Non-Trucking Liability Insurance**

**Sec. 1. As used in this chapter, "casualty insurance company" has the meaning set forth in IC 27-1-2-3(t).**

**Sec. 2. As used in this chapter, "group" means a group of individuals who:**

- (1) have similar professional attributes;
- (2) belong to the group for purposes other than that of obtaining insurance; and
- (3) are eligible to purchase motor vehicle insurance.

**Sec. 3. As used in this chapter, "group non-trucking liability insurance policy" means a policy of insurance that provides non-trucking liability insurance, and may provide optional physical damage insurance coverage, to participating group members under one (1) master policy:**

- (1) that is issued to a named insured; and
- (2) under which individual certificates, each with separate limits of liability and coverage, are issued to participating group members.

**Sec. 4. As used in this chapter, "motor vehicle insurance" means the type of insurance described in IC 27-1-5-1, Class 2(f).**

Page 38, line 30, delete "8." and insert "5".

Page 38, between lines 34 and 35, begin a new paragraph and insert:

"**Sec. 6. An insurer that is authorized under IC 27-1-3-20 to:**

- (1) transact business as a casualty insurance company; and
- (2) offer motor vehicle insurance;

**may provide a group non-trucking liability insurance policy.** SECTION 32. IC 27-7-16 IS ADDED TO THE INDIANA

CODE AS A NEW CHAPTER TO READ AS FOLLOWS  
[EFFECTIVE JULY 1, 2015]:

**Chapter 16. Group Tenant Users Liability Insurance**

**Sec. 1.** As used in this chapter, "casualty and liability insurance" means the type of insurance described in IC 27-1-5-1, Class 2(h).

**Sec. 2.** As used in this chapter, "casualty insurance company" has the meaning set forth in IC 27-1-2-3(t).

**Sec. 3.** As used in this chapter, "group" means a group of individuals who:

- (1) have similar professional attributes;
- (2) belong to the group for purposes other than that of obtaining insurance; and
- (3) are eligible to purchase casualty and liability insurance.

**Sec. 4.** As used in this chapter, "group tenant users liability insurance policy" means a policy of insurance that provides tenant users liability insurance to participating group members under one (1) master policy:

- (1) that is issued to a named insured; and
- (2) under which individual certificates, each with separate limits of liability and coverage, are issued to participating group members."

Page 38, line 35, delete "9." and insert "5."

Page 38, delete lines 39 through 42, begin a new paragraph and insert:

**"Sec. 6. An insurer that is authorized under IC 27-1-3-20 to:**

- (1) transact business as a casualty insurance company; and

**and**  
**(2) offer casualty and liability insurance;**  
**may provide a group tenant users liability insurance policy."**

Page 39, delete lines 1 through 8.

Page 39, line 10, delete "This subsection".

Page 39, line 11, delete "applies only for plan years beginning before January 1, 2016."

Page 39, delete lines 21 through 31, begin a new paragraph and insert:

**"(b) If the commissioner of insurance determines that it is necessary or appropriate, the department of insurance may adopt emergency rules under IC 4-22-2-37.1 to conform the definition set forth in subsection (a) with PPACA (as defined in IC 27-19-2-14). Notwithstanding IC 4-22-2-37.1(g), an emergency rule adopted under this subsection expires on the date occurring one (1) year after the date on which the emergency rule takes effect."**

Renumber all SECTIONS consecutively.

(Reference is to HB 1341 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 12, nays 0.

LEHMAN, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Environmental Affairs, to which was referred House Bill 1350, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 2, delete lines 19 through 28, begin a new paragraph and insert:

**"(e) If a variance from a rule granted to a person under this section will be in effect for more than one (1) year, the variance must include a schedule requiring the person to come into compliance with the rule within the period for which the variance will be in effect. The commissioner may revoke a variance granted to a person under this section if:**

- (1) the person fails to meet the requirements of the

**compliance schedule included in the variance under this subsection; and**

**(2) after the end of the variance period, the person:**

- (A) is given a reasonable opportunity to meet the requirements of the rule; and
- (B) still does not come into compliance with the rule.

**If a variance is revoked under this subsection, the person granted the variance shall comply with the rule for which the variance was granted."**

(Reference is to HB 1350 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 12, nays 0.

WOLKINS, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Roads and Transportation, to which was referred House Bill 1396, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 5, line 29, after "The" strike "license" and insert "permit".

Page 16, line 33, strike "A".

Page 16, line 33, after "representative." insert "An automotive".

Page 16, line 33, delete "dealer." and insert "recycler".

Page 20, line 36, delete "for" and insert "from".

(Reference is to HB 1396 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 10, nays 0.

SOLIDAY, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Elections and Apportionment, to which was referred House Bill 1516, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to HB 1516 as introduced.)

Committee Vote: Yeas 11, Nays 0.

SMITH M, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Courts and Criminal Code, to which was referred House Bill 1531, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to HB 1531 as introduced.)

Committee Vote: Yeas 11, Nays 0.

WASHBURNE, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Financial Institutions, to which was referred House Bill 1539, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to HB 1539 as introduced.)

Committee Vote: Yeas 12, Nays 0.

BURTON, Chair

Report adopted.

## COMMITTEE REPORT

Mr. Speaker: Your Committee on Commerce, Small Business and Economic Development, to which was referred House Bill 1601, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to HB 1601 as introduced.)

Committee Vote: Yeas 11, Nays 0.

SMALTZ, Chair

Report adopted.

## COMMITTEE REPORT

Mr. Speaker: Your Committee on Family, Children and Human Affairs, to which was referred House Bill 1616, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, line 10, delete "A" and insert "**Beginning October 1, 2015, a**".

Page 2, line 1, after "exceeds" insert "**the greater of**".

Page 2, line 3, delete "." and insert "**or eighty-five percent (85%) of the state median income for the same size family.**".

(Reference is to HB 1616 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 13, nays 0.

FRIZZELL, Chair

Report adopted.

## COMMITTEE REPORT

Mr. Speaker: Your Committee on Roads and Transportation, to which was referred House Bill 1631, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Replace the effective dates in SECTIONS 3 through 9 with "[EFFECTIVE JANUARY 1, 2016]".

Replace the effective dates in SECTIONS 11 through 25 with "[EFFECTIVE JANUARY 1, 2016]".

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

"SECTION 1. IC 9-13-2-125.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2016]: **Sec. 125.5. "Photo exempt identification card" means an identification card issued by the bureau under IC 9-24-16.5.**"

Page 2, delete lines 1 through 4.

Page 2, line 22, delete "commercial" and insert "**photo exempt**".

Page 3, line 37, delete "commercial" and insert "**photo exempt**".

Page 4, line 18, delete "commercial" and insert "**photo exempt**".

Page 4, line 24, delete "commercial" and insert "**photo exempt**".

Page 4, line 27, delete "commercial" and insert "**photo exempt**".

Page 4, line 40, delete "commercial" and insert "**photo exempt**".

Page 4, line 42, delete "commercial" and insert "**photo exempt**".

Page 5, line 13, delete "commercial" and insert "**photo exempt**".

Page 5, line 18, delete "commercial" and insert "**photo exempt**".

Page 5, delete lines 22 through 42, begin a new paragraph and insert:

"SECTION 9. IC 9-24-16.5 IS ADDED TO THE INDIANA

CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2016]:

**Chapter 16.5. Photo Exempt Identification Cards**

**Sec. 1. The bureau shall issue a photo exempt identification card to an individual who meets the following conditions:**

- (1) Makes an application.
- (2) Is a resident of Indiana.
- (3) Has provided valid documentary evidence to the bureau of the lawful status in the United States of the individual, as required by section 2(a)(10) of this chapter.

**Sec. 2. (a) An application for a photo exempt identification card issued under this chapter must require the following information concerning an applicant:**

- (1) The full legal name of the applicant.
- (2) The applicant's date of birth.
- (3) The gender of the applicant.
- (4) The applicant's height, weight, hair color, and eye color.
- (5) The principal address and mailing address of the applicant.
- (6) A:

- (A) valid Social Security number;
- (B) verification of the applicant's ineligibility to be issued a Social Security number; or
- (C) statement from the applicant in which the applicant swears or affirms that the applicant has a sincerely held religious belief against the issuance of a Social Security number to the applicant and a copy of Form 4029 from the United States Internal Revenue Service concerning the applicant.

(7) A digital image of the applicant.

(8) A statement:

- (A) from the applicant in which the applicant swears or affirms that the applicant has a sincerely held religious belief against the taking of a photograph of the applicant; and
- (B) from a member of the clergy of the religious organization of which the applicant is a member regarding the prohibition of photography of members of the religious organization.

(9) The signature of the applicant.

(10) Valid documentary evidence that the applicant is a citizen or national of the United States. The bureau shall maintain records of the information provided under this subdivision.

(b) The image required under subsection (a)(7) is a confidential public record in accordance with IC 5-14-3-4(a), IC 9-14-3-1, and IC 9-14-3-5.

(c) The bureau may invalidate a photo exempt identification card that the bureau believes to have been issued as a result of fraudulent documentation.

(d) The bureau:

- (1) shall adopt rules under IC 4-22-2 to establish a procedure to verify an applicant's identity; and
- (2) may adopt rules to establish a procedure to temporarily invalidate a photo exempt identification card that the bureau believes to have been issued based on fraudulent documentation.

**Sec. 3. (a) A photo exempt identification card must have the same dimensions and shape as a driver's license and an identification card issued under IC 9-24-16, but the photo exempt identification card must have markings sufficient to distinguish the card from a driver's license or an identification card.**

**(b) The front side of a photo exempt identification card must contain the following information about the individual to whom the card is being issued:**

- (1) Full legal name.
- (2) The address of the principal residence.

- (3) Date of birth.
- (4) Date of issue and date of expiration.
- (5) Unique identification number.
- (6) Gender.
- (7) Weight.
- (8) Height.
- (9) Color of eyes and hair.
- (10) A reproduction of the signature of the individual identified.
- (11) If the individual is less than eighteen (18) years of age at the time of issuance, the dates on which the individual will become:
  - (A) eighteen (18) years of age; and
  - (B) twenty-one (21) years of age.
- (12) If the individual is at least eighteen (18) years of age but less than twenty-one (21) years of age at the time of issuance, the date on which the individual will become twenty-one (21) years of age.

(c) The front side of a photo exempt identification card may not bear an image of the holder of the photo exempt identification card.

(d) The information contained on the photo exempt identification card as required by subsection (b)(11) or (b)(12) for an individual who is less than twenty-one (21) years of age at the time of issuance must be printed prominently on the photo exempt identification card.

Sec. 4. A photo exempt identification card must include a statement on the card that indicates that the photo exempt identification card may not be accepted by any federal agency for federal identification or any other federal purpose.

Sec. 5. (a) A photo exempt identification card expires at midnight on the birth date of the holder that occurs six (6) years following the date of issuance.

(b) An application for renewal of a photo exempt identification card may be made not more than twelve (12) months before the expiration date of the card.

(c) A renewed photo exempt identification card is valid on the birth date of the holder and remains valid for six (6) years.

(d) A photo exempt identification card may not be renewed if the holder was issued a driver's license or an identification card after the last issuance of a photo exempt identification card.

(e) An application for the renewal of a photo exempt identification card may not be made by mail or by electronic service.

Sec. 6. (a) The bureau shall issue:

- (1) an amended photo exempt identification card if any information contained on the photo exempt identification card becomes invalid or obsolete; or
- (2) a replacement photo exempt identification card if the card is lost, stolen, damaged, or destroyed.

(b) If information on a photo exempt identification card becomes invalid or obsolete, the holder shall, within thirty (30) days after the card becomes invalid or obsolete, apply for an amended card containing correct information.

(c) If a photo exempt identification card is lost, stolen, damaged, or destroyed, the holder may apply for a replacement card.

(d) An application for an amended or replacement photo exempt identification card may not be made by mail or by electronic service.

Sec. 7. The bureau may adopt rules under IC 4-22-2 and prescribe all forms necessary to implement this chapter.

Sec. 8. A photo exempt identification card issued under this chapter may not be used to identify the individual who holds the photo exempt identification card as the operator of a motor vehicle.

Sec. 9. (a) An individual may not hold a photo exempt identification card and an identification card issued under

IC 9-24-16 at the same time.

(b) An individual who violates this section commits a Class C infraction.

Sec. 10. A person who:

- (1) knowingly permits the use of a photo exempt identification card issued under this chapter by a person other than the person to whom the card was issued;
- (2) knowingly displays or represents as the person's own photo exempt identification card issued under this chapter a photo exempt identification card that was not issued to the person displaying the card or representing that the card is the person's card;
- (3) knowingly or intentionally does not surrender, upon demand of the proper official, a photo exempt identification card issued under this chapter that has become invalid or expired; or
- (4) knowingly sells, offers to sell, buys, possesses, or offers a false photo exempt identification card that could reasonably be mistaken for a valid photo exempt identification card required by this chapter to be issued by the bureau but that has not been issued by the bureau;

commits a Class B misdemeanor.

Sec. 11. A person who forges or reproduces a photo exempt identification card issued under this chapter:

- (1) with intent to use the photo exempt identification card; or
- (2) with intent that the photo exempt identification card may be used by another person;

commits a Class B misdemeanor.

Sec. 12. The commissioner and the employees or agents of the bureau are not civilly responsible for the validity of information contained on a photo exempt identification card issued under this chapter. The bureau may adopt rules under IC 4-22-2 to place an appropriate disclaimer on a photo exempt identification card.

Sec. 13. Except for gross misconduct, if a retailer, or an employee of a retailer, in good faith accepts a photo exempt identification card issued under this chapter as proof of identification for purposes of a retail transaction, the retailer or employee is immune from any civil liability that may occur as a result of the acceptance."

Delete pages 6 through 8.

Page 9, delete lines 1 through 20.

Page 9, line 24, delete "commercial" and insert "photo exempt".

Page 9, line 32, delete "commercial" and insert "photo exempt".

Page 10, line 1, delete "commercial" and insert "photo exempt".

Page 10, line 8, delete "commercial" and insert "photo exempt".

Page 10, line 9, delete "commercial" and insert "photo exempt".

Page 10, line 12, delete "commercial" and insert "photo exempt".

Page 10, line 15, delete "commercial" and insert "photo exempt".

Page 10, line 19, delete "commercial" and insert "photo exempt".

Page 10, line 27, delete "commercial" and insert "photo exempt".

Page 10, line 31, delete "commercial" and insert "photo exempt".

Page 10, line 34, delete "commercial" and insert "photo exempt".

Page 10, line 41, delete "commercial" and insert "photo exempt".

Page 11, line 7, delete "commercial" and insert "photo

exempt".

Page 11, line 14, delete "commercial" and insert "**photo exempt**".

Page 11, line 26, delete "commercial" and insert "**photo exempt**".

Page 12, line 8, delete "commercial" and insert "**photo exempt**".

Page 12, line 12, delete "commercial" and insert "**photo exempt**".

Page 12, line 16, delete "commercial" and insert "**photo exempt**".

Page 12, line 30, delete "commercial" and insert "**photo exempt**".

Page 13, line 36, delete "commercial" and insert "**photo exempt**".

Page 13, line 40, delete "commercial" and insert "**photo exempt**".

Page 15, line 11, delete "commercial" and insert "**photo exempt**".

Page 17, line 16, delete "commercial" and insert "**photo exempt**".

Page 18, line 16, delete "commercial" and insert "**photo exempt**".

Page 18, line 21, delete "commercial" and insert "**photo exempt**".

Page 19, line 31, delete "commercial" and insert "**photo exempt**".

Page 19, line 35, delete "commercial" and insert "**photo exempt**".

Page 19, line 37, delete "commercial" and insert "**photo exempt**".

Page 19, line 41, delete "commercial" and insert "**photo exempt**".

Page 20, line 17, delete "commercial" and insert "**photo exempt**".

Page 20, line 21, delete "commercial" and insert "**photo exempt**".

Page 20, line 30, delete "commercial" and insert "**photo exempt**".

Page 20, line 32, delete "commercial" and insert "**photo exempt**".

Page 20, line 40, delete "commercial" and insert "**photo exempt**".

Page 21, line 2, delete "commercial" and insert "**photo exempt**".

Renumber all SECTIONS consecutively.  
(Reference is to HB 1631 as introduced.)  
and when so amended that said bill do pass.

Committee Vote: yeas 11, nays 0.

SOLIDAY, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Roads and Transportation, to which was referred House Concurrent Resolution 8, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said resolution do pass.

(Reference is to HCR 8 as introduced.)  
Committee Vote: Yeas 13, Nays 0.

SOLIDAY, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Family, Children and Human Affairs, to which was referred House Bill 1010, has had the same under consideration and begs leave to report the same

back to the House with the recommendation that said bill do pass.

(Reference is to HB 1010 as introduced.)  
Committee Vote: Yeas 13, Nays 0.

FRIZZELL, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Commerce, Small Business and Economic Development, to which was referred House Bill 1541, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 4, between lines 13 and 14, begin a new paragraph and insert:

"SECTION 3. IC 6-1.1-45-7, AS ADDED BY P.L.214-2005, SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 7. As used in this chapter, "qualified investment" means any of the following expenditures relating to an enterprise zone location on which a taxpayer's zone business is located:

- (1) The purchase of a building.
- (2) The purchase of new manufacturing or production equipment.
- (3) Costs associated with the repair, rehabilitation, or modernization of an existing building and related improvements.
- (4) Onsite infrastructure improvements.
- (5) The construction of a new building.
- (6) Costs associated with retooling existing machinery.
- (7) The purchase of new information technology equipment that consists of equipment, including software, used in the fields of:**
  - (A) information processing;**
  - (B) office automation;**
  - (C) telecommunication facilities and networks;**
  - (D) informatics;**
  - (E) network administration;**
  - (F) software development; and**
  - (G) fiber optics;**

**that is acquired in an arms length transaction from an entity that is not an affiliate of the taxpayer and that the taxpayer never used for any purpose in Indiana before the purchase.**

- (8) The purchase of new research and development equipment that consists of:**
  - (A) laboratory equipment;**
  - (B) research and development equipment;**
  - (C) computers and computer software;**
  - (D) telecommunications equipment; or**
  - (E) testing equipment.**
- (9) The purchase of new logistical distribution equipment that consists of:**
  - (A) racking equipment;**
  - (B) scanning or coding equipment;**
  - (C) separators;**
  - (D) conveyors;**
  - (E) fork lifts or lifting equipment (including "walk behinds");**
  - (F) transitional moving equipment;**
  - (G) packaging equipment;**
  - (H) sorting and picking equipment; or**
  - (I) software for technology used in logistical distribution."**

Renumber all SECTIONS consecutively.  
(Reference is to HB 1541 as introduced.)  
and when so amended that said bill do pass.

Committee Vote: yeas 12, nays 0.

SMALTZ, Chair

Report adopted.

**HOUSE BILLS ON SECOND READING****House Bill 1080**

Representative Macer called down House Bill 1080 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

**House Bill 1208**

Representative Arnold called down House Bill 1208 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

**House Bill 1263**

Representative Smith, M called down House Bill 1263 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

**House Bill 1335**

Representative Stemler called down House Bill 1335 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

**House Bill 1497**

Representative Beumer called down House Bill 1497 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

**RESOLUTIONS ON FIRST READING****Senate Concurrent Resolution 5**

The Speaker handed down Senate Concurrent Resolution 5, sponsored by Representatives Austin and Cherry:

A CONCURRENT RESOLUTION memorializing Pamela K. Jones, Anderson City Councilwoman.

*Whereas, Pamela K. Jones was born on March 24, 1959 in Anderson,, Indiana to Gwynford Wayne and Mary Ellsworth. Pamela was married to Merle Jones for 24 years and had 3 sons, Elvis, Robert, and Charles;*

*Whereas, Pamela served on the Anderson City Council from 1984 through 1991 and was re-elected again in 2003, becoming the President in 2014. Pamela was head of Voter's Registration, member of Democratic Women's Club and a Charter Member of Roosevelt Kennedy Club;*

*Whereas, Pamela was owner and operator of Scenic Seekers Tours and a lifetime member of the First Pentecostal Church in Anderson;*

*Whereas, Pamela was a dedicated and compassionate community member, advocating for those with disabilities; and*

*Whereas, Pamela passed away on January 6, 2015 after an extended illness. Her absence will certainly be felt by the countless individuals that knew her: 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 memorializes Pamela K. Jones and celebrates her legacy of community service and involvement.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this resolution to Merle Jones, Elvis Jones, Robert Jones, and Gwynford and Mary Ellsworth.

The resolution was read a first time and adopted by voice vote. The Clerk was directed to inform the Senate of the passage of the resolution.

The House recessed until the fall of the gavel.

**RECESS**

The House reconvened at 11:50 a.m. with the Speaker in the Chair.

**HOUSE BILLS ON SECOND READING****House Bill 1456**

Representative Zent called down House Bill 1456 for second reading. The bill was read a second time by title.

HOUSE MOTION  
(Amendment 1456-1)

Mr. Speaker: I move that House Bill 1456 be amended to read as follows:

Page 4, line 20, after "service;" insert "**or**".

Page 4, line 26, delete "(a)".

Page 5, line 17, delete "(e)" and insert "**(f)**".

Page 5, line 25, delete "(f)" and insert "**(g)**".

(Reference is to HB 1456 as printed January 27, 2015.)

ZENT

Motion prevailed. The bill was ordered engrossed.

Representative Wolkins is now excused.

**House Bill 1507**

Representative VanNatter called down House Bill 1507 for second reading. The bill was read a second time by title.

HOUSE MOTION  
(Amendment 1507-1)

Mr. Speaker: I move that House Bill 1507 be amended to read as follows:

Page 2, between lines 13 and 14, begin a new paragraph and insert:

**"SECTION 2. [EFFECTIVE UPON PASSAGE] (a) As used in this SECTION, "Just In" refers to the Internet web site being developed by the executive branch, as the state of Indiana news service.**

**(b) As used in this SECTION, "office" refers to the office of management and budget established by IC 4-3-22-3.**

**(c) As used in this SECTION, "public funds" has the meaning set forth in IC 5-13-4-20.**

**(d) The office may not cause or permit the distribution, transfer, allotment, or other expenditure of public funds to or for the benefit of Just In."**

Renumber all SECTIONS consecutively.

(Reference is to HB 1507 as printed January 27, 2015.)

PELATH

Representative Torr rose to a point of order, citing Rule 80, stating that the motion was not germane to the bill. The Speaker ruled the point was well taken and the motion was out of order.

**APPEAL OF THE RULING OF THE CHAIR**

Mr. Speaker: We appeal the ruling of the Chair that Representative Pelath's proposed amendment (1507-1) violates House Rule 80. The amendment addresses funding of the "Just In" website, which will distribute public information for the executive branch. The amendment is germane to the bill's subject matter which concerns the State Building Commission, which is part of the Homeland Security Department, and executive branch agency.

PELATH  
PIERCE



The Speaker yielded the gavel to the Speaker Pro Tempore, Representative Friend.

The question was, Shall the ruling of the Chair be sustained? Roll Call 47: yeas 69, nays 27. The ruling of the Chair was sustained.

The Speaker Pro Tempore yielded the gavel to the Speaker. Representative DeVon is now excused.

HOUSE MOTION  
(Amendment 1507-2)

Mr. Speaker: I move that House Bill 1507 be amended to read as follows:

Page 1, line 11, after "industry" insert ", **have at least five (5) years of management experience,**".

Page 2, line 4, after "industry" insert ", **have at least five (5) years of management experience,**".

(Reference is to HB 1507 as printed January 27, 2015.)  
RIECKEN

Upon request of Representatives Mahan and Eberhart, the Speaker ordered the roll of the House to be called. Roll Call 48: yeas 88, nays 7. Motion prevailed. The bill was ordered engrossed.

Representative DeVon, who had been excused is now present. Representative Lawson is now excused.

**ENGROSSED HOUSE BILLS  
ON THIRD READING**

**Engrossed House Bill 1478**

Representative Kirchhofer called down Engrossed House Bill 1478 for third reading:

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

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

Roll Call 49: yeas 69, nays 27. 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 Clerk was directed to inform the Senate of the passage of the bill. Senate sponsor: Senator Merritt.

**OTHER BUSINESS ON THE SPEAKER'S TABLE**

**Referrals to Ways and Means**

The Speaker announced, pursuant to House Rule 127, that House Bills 1010 and 1541 had been referred to the Committee on Ways and Means.

HOUSE MOTION

Mr. Speaker: I move that Representative Cook be added as coauthor of House Bill 1028.

MCNAMARA

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Frye, R be added as coauthor of House Bill 1080.

MACER

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Sullivan, Braun and Huston be added as coauthors of House Bill 1142.

KOCH

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that House Rule 105.1 be suspended for the purpose of adding more than three coauthors and that Representative Schaibley be added as coauthor of House Bill 1159.

JUDY

The motion, having been seconded by a constitutional majority and carried by a two-thirds vote of the members, prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Bartlett be added as coauthor of House Bill 1173.

SHACKLEFORD

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Wesco be added as coauthor of House Bill 1208.

ARNOLD

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Moed and Macer be added as coauthors of House Bill 1256.

SHACKLEFORD

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Pryor be added as coauthor of House Bill 1257.

SHACKLEFORD

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Summers and Pryor be added as coauthors of House Bill 1258.

SHACKLEFORD

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Brown, T be removed as coauthor of House Bill 1263 and Representative Morris be added as coauthor.

SMITH M

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Lehman be added as coauthor of House Bill 1264.

KOCH

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Cherry and Riecken be added as coauthors of House Bill 1271.

KARICKHOFF

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative McNamara be added as coauthor of House Bill 1304.

MCMILLIN

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Clere and Brown, C be added as coauthors of House Bill 1329.

PORTER

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Saunders and Moed be added as coauthors of House Bill 1338.

BEUMER

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Hamm be added as coauthor of House Bill 1341.

LEHMAN

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Brown, T be added as coauthor of House Bill 1449.

DAVISSON

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Behning be added as coauthor of House Bill 1495.

BEUMER

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Riecken and Lucas be added as coauthors of House Bill 1507.

VANNATTER

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Smith, M be added as coauthor of House Bill 1509.

VANNATTER

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Clere be added as coauthor of House Bill 1511.

BROWN T

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Moed be added as coauthor of House Bill 1539.

HEATON

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Riecken be added as coauthor of House Bill 1552.

KIRCHHOFFER

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Karickhoff be added as coauthor of House Bill 1565.

MOED

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Ober be added as coauthor of House Bill 1603.

SMALTZ

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Morrison be added as coauthor of House Bill 1609.

MCMILLIN

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Frizzell, Summers, and Olthoff be added as coauthors of House Bill 1616.

CLERE

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Cherry be added as cosponsor of Engrossed Senate Concurrent Resolution 5.

AUSTIN

Motion prevailed.

Pursuant to House Rule 60, committee meetings were announced.

On the motion of Representative Bauer, the House adjourned at 12:47 p.m., this twenty-ninth day of January, 2015, until Monday, February 2, 2015, at 1:30 p.m.

BRIAN C. BOSMA

Speaker of the House of Representatives

M. CAROLINE SPOTTS

Principal Clerk of the House of Representatives