



Journal of the House

State of Indiana

121st General Assembly

Second Regular Session

Twenty-Sixth Day

Thursday Morning

February 27, 2020

The invocation was offered by Father Mick Kopil of St. Elizabeth Ann Seaton Catholic Church in Valparaiso, a guest of Representative Beck.

The House convened at 10:00 a.m. with Speaker Brian C. Bosma in the Chair.

The Pledge of Allegiance to the Flag was led by Representative Speedy.

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

Abbott	Jackson
Austin	Jordan
Aylesworth	Judy
Bacon	Karickhoff
Baird <input type="checkbox"/>	Kirchhofer <input type="checkbox"/>
Barrett	Klinker
Bartels	Lauer
Bartlett	Lehe
Bauer	Lehman
Beck	Leonard <input type="checkbox"/>
Behning	Lindauer
Borders	Lucas
Boy	Lyness
T. Brown	Macer <input type="checkbox"/>
Burton	Manning
Campbell	May
Candelaria Reardon	Mayfield
Carbaugh	McNamara
Cherry	Miller
Chyung	Moed <input type="checkbox"/>
Clere	Morris
Cook	Morrison
Davisson	Moseley
Deal	Negele
DeLaney	Nisly
DeVon	Pfaff
Dvorak	Pierce
Eberhart	Porter
Ellington	Prescott
Engleman	Pressel
Errington	Pryor
Fleming	Saunders
Forestal <input type="checkbox"/>	Schaibley
Frye	Shackleford <input type="checkbox"/>
GiaQuinta	Sherman
Goodin	Smaltz
Goodrich	V. Smith
Gutwein	Soliday <input type="checkbox"/>
Hamilton	Speedy
Harris	Steuerwald
Hatcher	Stutzman
Hatfield <input type="checkbox"/>	Sullivan
Heaton	Summers
Heine <input type="checkbox"/>	Thompson <input type="checkbox"/>
Hostettler	Torr
Huston	VanNatter

Vermilion
Wesco
Wolkins
Wright

J. Young
Zent
Ziemke
Mr. Speaker

Roll Call 217: 89 present; 11 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, March 2, 2020, at 10:00 a.m.

LEHMAN

The motion was adopted by a constitutional majority.

ENGROSSED SENATE BILLS ON SECOND READING

Pursuant to House Rule 143.1, the following bills which had no amendments filed, were read a second time by title and ordered engrossed: Engrossed Senate Bills 25, 230, 343, 406 and 410.

RESOLUTIONS ON FIRST READING

House Concurrent Resolution 43

Representatives Frye and Macer introduced House Concurrent Resolution 43:

A CONCURRENT RESOLUTION recognizing and honoring volunteer firefighters.

Whereas, These brave and dedicated volunteer firefighters have served courageously and risked their lives daily to protect their communities from the threat of fire;

Whereas, For 50 years these volunteer firefighters have answered the call when fire struck Hoosier communities, forsaking all else to protect and serve those in need;

Whereas, It takes a special dedication, a strong desire to help others, and a tireless sense of community to sacrifice precious time with family and friends to respond to the signal that a neighbor is in need;

Whereas, These brave volunteer firefighters have heroically performed, throughout 50 years of devoted service, above and beyond the call of duty to fulfill the tasks and responsibilities of fire protection;

Whereas, It is right and just to recognize the tireless contributions and sacrifices that volunteer firefighters have made to bring safety and security to all Hoosier communities; and

Whereas, The distinguished service of volunteer firefighters has brought pride and honor to the state of Indiana: Therefore,

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana, the Senate concurring:

SECTION 1. That the Indiana General Assembly recognizes and honors the following volunteer firefighters that have spent 50 years protecting and serving communities across Indiana: Thomas Anderson, Lloyd Woodrick, Weldon Coslet, William H. Flanagan Jr., Jim E. Bullock, Delbert E. Collinworth, Bill Corning, Randal E. Clinton, Rodney Isaac Cross, John P. Hardy, Jerry D. Knepp, Paul Martin, Bruce R. Bordner, Wayne A. Smith, Steven E. Barcus, Ralph M. Clary, Michael D. Schrader, Daryl R. Daniels, Jerry W. Hochstetler, Michael E. Shearer, Estill A. Ritchie, Robert E. Arnold, Keith A. Balliet, Gary E. Teeple, Daniel G. Anderson, Donald D. Kendall, Richard A. McCarty, Jimmie L. Stipp, Gail G. Sears, Robert J. Hauernt, William L. Clark, Phil Dearing, Carl V. McAnally, Donald Wells, Bryan L. Husband, George Thomas Asbury, William R. Shields, Tim Earl Jenks, Gordon W. Foster, Daniel L. Harshbarger, Larry R. Harmon, Jack C. Giles, Harry H. Green, Gary Poteet, Gary Allen Thomas, Jack Lee Duncan, John A. Pardo, Thomas A. Fulton, James A. Ennis, Don L. Benter, Henry David Taylor, James H. Lohring, John M. Buckman I, James Robert Fechtmeister, Mark A. Ellis, James M. Hardesty, Ronald N. Bell, Stephen L. Murphy, James R. Davis, Max S. Ferree, Raymond D. Spires, Richard K. Taylor, William Bland, Cleon Brahm, Michael J. Gutzwiller, James R. Vinup, Paul E. Covington Jr., John D. Goodrick, Larry Curl, and Walter Bedford Blakely.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit copies of this resolution to the volunteer firefighters named in this resolution.

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. Senate sponsor: Senator Crider.

House Resolution 25

Representative Candelaria Reardon introduced House Resolution 25:

A HOUSE RESOLUTION recognizing and honoring Mr. Richard Morrisroe.

Whereas, Richard Morrisroe was born in Chicago, Illinois, in 1938;

Whereas, Mr. Morrisroe completed his studies at St. Mary of the Lake Seminary in 1964 and worked as a Catholic priest in three parishes until he returned to lay status in 1973;

Whereas, Mr. Morrisroe became increasingly involved in the civil rights movement and quickly joined Dr. Martin Luther King Jr.'s peaceful demonstrations in Chicago before attending Dr. King's Southern Christian Leadership Conference in 1965;

Whereas, Mr. Morrisroe was arrested in Fort Deposit, Alabama, with almost twenty other demonstrators after organizing against economic discrimination;

Whereas, Mr. Morrisroe was released from jail with fellow demonstrators including Mr. Jonathan Daniels and Mr. Stokely Carmichael after nearly a week of confinement in Lowndes County, Alabama;

Whereas, Less than an hour later Mr. Daniels, an Episcopal seminarian, and Mr. Morrisroe were shot by a deputy sheriff with a twelve gauge shotgun outside of a Hayneville, Alabama, general store;

Whereas, Mr. Daniels died at the scene after saving the life of Ruby Sales, who was in the path of the shotgun blast, and Mr. Morrisroe was shot in the back;

Whereas, Mr. Morrisroe, with the help of eleven hours of surgery and six months of hospitalization, has been blessed to live and work in church ministry, city planning and municipal law, higher education, and family life;

Whereas, Mr. Morrisroe carries with him a passion for learning and community involvement, having earned a master's degree in urban studies from Loyola University, a law degree from Northwestern University, and a doctorate of ministry from Catholic Theological Union in Hyde Park;

Whereas, Mr. Morrisroe has worked for the City of East Chicago from 1973 to 1980 and then the Chicago Transit Authority from 1986 to 2005 before he returned to East Chicago in 2005, where he continues to work today;

Whereas, Mr. Morrisroe served as an adjunct professor of sociology, religious studies, law and literature, and business ethics at Indiana University Northwest, Gary, and at Calumet College of St. Joseph, Hammond, from 1972 to 2018; and

Whereas, Mr. Morrisroe and his wife, Sylvia, and their children, Richard, Jonathan, and Sioban, have been lifelong residents of East Chicago: Therefore,

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana:

SECTION 1. That the Indiana House of Representatives recognizes and honors Mr. Richard Morrisroe for his many contributions to his community as a leader, civil servant, and civil rights activist.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit copies of this resolution to State Representative Mara Candelaria Reardon for distribution.

The resolution was read a first time and adopted by voice vote.

The Speaker yielded the gavel to Representative Wolkins.

House Resolution 36

Representatives Steuerwald and GiaQuinta introduced House Resolution 36:

A HOUSE RESOLUTION honoring those who have served as legislative interns for the House of Representatives during the Second Regular Session of the 121st Indiana General Assembly.

Whereas, The following have served as legislative interns for the Republican Caucus of the House of Representatives during the Second Regular Session of the 121st Indiana General Assembly: Erika Adams, Kayla Balfour, Alex Bastnagel, David Bradley, Kristina Breckenridge, Tanner Brown, Jacob Carrico, Ryan Cinnante, Madeline Clabaugh, Alexander Clark, Alexander Conrad, Amy Cordill, Michael Critchfield, Mariah Dragonette, Rachel Ely, Hannah Gregory, Mary Kate Jaworowski, Ellen Kizik, Garkhor Kulia, Austin Macy, Nathan Marciniec, Cameron Michaels, Chantz Morris, Jasmine Noel, Alec Policka, Daniel Silliman, William Smeltzer, Lucas Smith, Zachary Smith, Erica Szczechowski, Victoria Thatcher-Milton, Mauricio Villacres, Aaron Wainscott, Jordan Wallace, and Caitlin Way;

Whereas, The following have served as legislative interns for the Democratic Caucus of the House of Representatives during the Second Regular Session of the 121st Indiana General Assembly: Samantha Abbott, Thad Boone, Christina DeSanto, Andrew Donaldson, Blair Earnest, Claire Ellis, Riccardo Johnson, Joe Killion, Elisa Liggin, Lauren Neal, Florence Ngun Tin Dim, Hannah Smith, Jacob Stefaniak, Eric Virden, Troi Watts, Angela Williams, and Elizabeth Wilson;

Whereas, The work of legislative interns is vital to the success of each session of the Indiana General Assembly;

Whereas, The legislative interns serving in 2020 represent some of the best and brightest future leaders of Indiana;

Whereas, Many past legislative interns have gone on to achieve significant personal, academic, political, and professional goals; and

Whereas, The 2020 legislative intern class contains young leaders who will make a positive contribution to Indiana in the years to come: Therefore,

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana:

SECTION 1. That the House of Representatives recognizes the important contributions of the individuals who are serving as legislative interns with the House of Representatives during the Second Regular Session of the 121st Indiana General Assembly.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit a copy of this resolution to Representative Gregory Steuerwald for distribution.

The resolution was read a first time and adopted by voice vote.

Speaker Bosma introduced Matt Whetstone, representing Verizon, sponsor of the intern program. Mr. Whetstone announced the Interns of the Year: Republican Jacob Carrico and Democrat Eric Virden.

Representative Wolkins yielded the gavel to the Speaker.

Representatives Hatfield, Kirchhofer, Leonard, Shackelford and Thompson, who had been excused, are now present.

ENGROSSED SENATE BILLS ON THIRD READING

Engrossed Senate Bill 194

Representative Steuerwald called down Engrossed Senate Bill 194 for third reading:

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

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

Roll Call 218: yeas 90, 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 Clerk was directed to inform the Senate of the passage of the bill.

Representative Lucas and Morrison, who had been present, are now excused.

Engrossed Senate Bill 10

Representative Burton called down Engrossed Senate Bill 10 for third reading:

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

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

Roll Call 219: yeas 91, 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 Clerk was directed to inform the Senate of the passage of the bill.

Representatives Candelaria Reardon and Cherry who had been present, are now excused.

Representative Lucas, who had been excused, is now present.

Engrossed Senate Bill 299

Representative Stutzman called down Engrossed Senate Bill 299 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 220: yeas 78, nays 13. 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.

Representative Cherry, who had been excused, is now present.

Engrossed Senate Bill 430

Representative Wolkins called down Engrossed Senate Bill 430 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning natural and cultural resources.

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

Roll Call 221: yeas 92, 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 Clerk was directed to inform the Senate of the passage of the bill.

Representatives Pfaff and Ziemke, who had been present, are now excused.

RESOLUTIONS ELIGIBLE FOR ADOPTION

Senate Concurrent Resolution 6

The Speaker handed down on its passage Senate Concurrent Resolution 6, sponsored by Representative Lehe:

A CONCURRENT RESOLUTION memorializing Trooper Peter "Bo" Stephan and urging the Indiana Department of Transportation to name a portion of State Road 25 the "Trooper Peter "Bo" Stephan Memorial Highway".

The resolution was read a second time and adopted. Roll Call 222: yeas 90, nays 0. 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 1:46 p.m. with the Speaker in the Chair.

REPORTS FROM COMMITTEES

COMMITTEE REPORT

Mr. Speaker: Your Committee on Natural Resources, to which was referred Senate Concurrent Resolution 15, 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 SC 15 as printed February 14, 2020.)
Committee Vote: Yeas 11, Nays 0.

EBERHART, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Public Health, to which was referred House Resolution 20, 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 HR 20 as printed February 18, 2020.)

Committee Vote: Yeas 11, Nays 0.

KIRCHHOFER, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Public Health, to which was referred Senate Bill 1, 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 36, delete "IC 35-46-1-10.2(i);" and insert "**IC 35-46-1-10.2(j);**";

Page 11, line 14, delete "under" and insert "**less than**".

Page 11, line 25, after "e-liquids"" insert "**the**".

Page 13, line 19, strike "twenty-seven (27)" and insert "**thirty (30)**".

Page 14, line 5, delete "IC 35-46-1-10.2(f)." and insert "**IC 35-46-1-10.2(g).**".

Page 16, line 8, delete "agriculture;" and insert "Agriculture."

Page 16, line 9, delete "processing;" and insert "Processing."

Page 16, line 10, delete "transporting;" and insert "Transporting."

Page 16, line 11, delete "wholesaling;" and insert "Wholesaling."

Page 16, line 11, strike "or".

Page 16, line 12, delete "retailing." and insert "Retailing."

Page 16, line 32, delete ":".

Page 16, line 33, delete "(1)".

Page 16, run in lines 32 through 33.

Page 16, line 35, delete ",".

Page 16, line 35, delete "or".

Page 16, delete lines 36 through 39.

Page 16, run in lines 35 through 40.

Page 17, line 5, strike "hundred eighty (180) days," and insert "**(1) year,**".

Page 17, line 6, delete "six" and insert "**four**".

Page 17, line 6, delete "\$600." and insert "**(\$400).**".

Page 17, line 9, strike "hundred eighty (180) days," and insert "**(1) year,**".

Page 17, line 10, delete "one thousand two" and insert "**eight**".

Page 17, line 11, delete "\$1,200." and insert "**(\$800).**".

Page 17, line 14, strike "hundred eighty (180) days," and insert "**(1) year,**".

Page 17, line 15, delete "two thousand one" and insert "**one thousand four**".

Page 17, line 16, delete "\$2,100." and insert "**(\$1,400).**".

Page 17, line 19, strike "hundred eighty (180)".

Page 17, line 20, strike "days," and insert "**(1) year,**".

Page 17, line 20, delete "three" and insert "**two**".

Page 17, line 21, delete "\$3,000." and insert "**(\$2,000).**".

Page 18, line 29, strike "hundred eighty (180) day period" and insert "**(1) year**".

Page 20, between lines 12 and 13, begin a new paragraph and insert:

"SECTION 31. IC 35-46-1-11.2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 11.2. (a) This section does not apply to a tobacco business:

(1) operating as a tobacco business before ~~April 1, 1996;~~ **July 1, 2020;** or

(2) that begins operating as a tobacco business after ~~April 1, 1996;~~ **June 30, 2020,** if at the time the tobacco business begins operation the tobacco business is not located in an area prohibited under this section.

(b) A person may not operate a tobacco business within ~~two~~

~~hundred (200)~~ **one thousand (1,000)** feet of a public or private elementary or secondary school, as measured between the nearest point of the premises occupied by the tobacco business and the nearest point of a building used by the school for instructional purposes.

(c) A person who violates this section commits a Class C misdemeanor."

Page 22, line 2, strike "hundred eighty (180) days," and insert "**(1) year,**".

Page 22, line 3, delete "six" and insert "**four**".

Page 22, line 3, delete "\$600." and insert "**(\$400).**".

Page 22, line 5, strike "hundred eighty (180) days," and insert "**(1) year,**".

Page 22, line 5, delete "one".

Page 22, line 6, delete "thousand two" and insert "**eight**".

Page 22, line 6, delete "\$1,200." and insert "**(\$800).**".

Page 22, line 8, strike "hundred eighty (180) days," and insert "**(1) year,**".

Page 22, line 8, delete "two".

Page 22, line 9, delete "thousand one" and insert "**one thousand four**".

Page 22, line 9, delete "\$2,100." and insert "**(\$1,400).**".

Page 22, line 11, strike "hundred eighty (180) days," and insert "**(1) year,**".

Page 22, line 12, delete "three" and insert "**two**".

Page 22, line 12, after "\$1,000" strike ".".

Page 22, line 12, delete "\$3,000." and insert "**(\$2,000).**".

Page 22, line 19, strike "hundred eighty (180) day" and insert "**(1) year**".

Renumber all SECTIONS consecutively.

(Reference is to SB 1 as reprinted January 22, 2020.) and when so amended that said bill do pass.

Committee Vote: yeas 10, nays 0.

KIRCHHOFER, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Public Health, to which was referred Senate Bill 4, 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:

Delete the title and insert the following:

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

Delete everything after the enacting clause and insert the following:

SECTION 1. IC 12-15-5-17, AS AMENDED BY P.L.108-2019, SECTION 194, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JUNE 29, 2020]: Sec. 17. (a) This section does not apply to a Medicaid recipient participating in the Program of All-Inclusive Care for the Elderly (PACE) program described in IC 12-15-43.

(b) The office may not include a Medicaid recipient who is eligible to ~~(†)~~ participate in the Medicare program (42 U.S.C. 1395 et seq.) and receive nursing facility services in a risk based managed care program or capitated managed care program.

(c) This section expires ~~June 30, 2020;~~ **June 30, 2021.**

SECTION 2. IC 16-41-7.5-6, AS AMENDED BY P.L.198-2017, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 6. A qualified entity that operates a program under this chapter must do the following:

(1) Annually register the program in a manner prescribed by the state department with the:

(A) state department; and

(B) local health department in the county or municipality where services will be provided by the qualified entity if the qualified entity is not the local health department.

(2) Have one (1) of the following licensed in Indiana provide oversight to the qualified entity's programs:

- (A) A physician.
- (B) A registered nurse.
- (C) A physician assistant.

(3) Store and dispose of all syringes and needles collected in a safe and legal manner.

(4) Provide education and training on drug overdose response and treatment, including the administration of an overdose intervention drug.

(5) Provide drug addiction treatment information and referrals to drug treatment programs, including programs in the local area and programs that offer medication assisted treatment that includes a federal Food and Drug Administration approved long acting, nonaddictive medication for the treatment of opioid or alcohol dependence.

(6) Provide syringe and needle distribution and collection without collecting or recording personally identifiable information.

(7) Operate in a manner consistent with public health and safety.

(8) Ensure the program is medically appropriate and part of a comprehensive public health response.

(9) Keep sufficient quantities of an overdose intervention drug (as defined in IC 16-18-2-263.9) in stock and to administer in accordance with IC 16-42-27.

(10) Provide testing for communicable diseases, and if an individual tests positive for a communicable disease, provide health care services or a referral to a health care provider for the services.

(11) Establish a referral process for program participants in need of:

- (A) information or education concerning communicable diseases; or
- (B) health care.

SECTION 3. IC 16-41-7.5-12, AS ADDED BY P.L.208-2015, SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 12. (a) Before November 1 of each year, the state department shall submit a report concerning syringe exchange programs operated under this chapter to the governor and to the general assembly in an electronic format under IC 5-14-6.

(b) Before November 1, 2020, as part of the report to the general assembly required under subsection (a), the state department shall ensure the report includes the following additional information concerning the program:

- (1) The number of programs operating in Indiana.**
- (2) The data, compiled for each program, reported to the state department under section 10 of this chapter.**
- (3) Any other information the state department deems relevant to the general assembly in assessing the effectiveness of having a program in the state.**

SECTION 4. IC 16-41-7.5-14, AS AMENDED BY P.L.198-2017, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 14. This chapter expires July 1, 2021- 2022.

SECTION 5. **An emergency is declared for this act.**

(Reference is to SB 4 as printed January 24, 2020.) and when so amended that said bill do pass.

Committee Vote: yeas 11, nays 0.

KIRCHHOFER, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Public Health, to which was referred Senate Bill 5, 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, between line 1 and the enacting clause, begin a new paragraph and insert:

"SECTION 1. IC 16-18-2-362.1 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 362.1. "Urgent care facility", for purposes of IC 16-24.5-1, has the meaning set forth in IC 16-24.5-1-1.**

SECTION 2. IC 16-21-17 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]:

Chapter 17. Health Care Pricing Information

Sec. 1. (a) Not later than March 31, 2021, a hospital and an ambulatory outpatient surgical center shall post on the Internet web site of the hospital or ambulatory outpatient surgical center pricing and other information specified in this chapter for the following:

- (1) For as many of the seventy (70) shoppable services specified in 45 CFR 180 (as published August 9, 2019, and as subsequently amended) that are provided by the hospital or ambulatory outpatient surgical center.**
- (2) In addition to the services specified in subdivision (1), the thirty (30) most common services that are provided by the hospital or ambulatory outpatient surgical center not included in subdivision (1).**

(b) The following information, to the extent applicable, must be included on the Internet web site by a hospital and an ambulatory outpatient surgical center for the shoppable and common services described in subsection (a):

- (1) A description of the shoppable and common service.**
- (2) The weighted average prices paid per service per provider type for each of the following categories:**
 - (A) Any nongovernment sponsored health benefit plan or insurance plan provided by a health carrier in which the provider is in the network.**
 - (B) Medicare, including fee for service and Medicare Advantage.**
 - (C) Self-pay without charitable assistance from the hospital or ambulatory outpatient surgical center.**
 - (D) Self-pay with charitable assistance from the hospital or ambulatory outpatient surgical center.**

Sec. 2. (a) The information displayed on the Internet web site must be in an easy to read, understandable format, and include the prices as described in section 1 of this chapter for each service by provider type.

(b) A hospital and an ambulatory outpatient surgical center shall update the information on the Internet web site on an annual basis.

SECTION 3. IC 16-24.5 IS ADDED TO THE INDIANA CODE AS A NEW ARTICLE TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]:

ARTICLE 24.5. OTHER HEALTH CARE FACILITIES **Chapter 1. Urgent Care Facilities**

Sec. 1. (a) As used in this chapter, "urgent care facility" means a freestanding health care facility that offers episodic, walk-in care for the treatment of acute, but not life-threatening, health conditions.

(b) The term does not include an emergency department of a hospital or a nonprofit or government operated health clinic.

Sec. 2. (a) Not later than March 31, 2021, an urgent care facility shall post on the Internet web site of the urgent care facility pricing and other information specified in this chapter for the fifteen (15) most common services that are provided by the urgent care facility.

(b) The following information, to the extent applicable, must be included on the Internet web site by an urgent care facility for the most common services described in subsection (a):

- (1) The number of services provided for the code.**
- (2) A description of the service.**

(3) The weighted average prices paid per service per provider type for each of the following categories:

- (A) Any nongovernment sponsored health benefit plan or insurance provided by a health carrier in which the provider is in the network.
- (B) Medicare, including fee for service and Medicare Advantage.
- (C) Self-pay without charitable assistance from the urgent care facility.
- (D) Self-pay with charitable assistance from the urgent care facility.

Sec. 3. (a) The information displayed on the Internet web site must be in an easy to read, understandable format, and include the prices as described in section 2 of this chapter for each service by provider type.

(b) An urgent care facility shall update the information on the Internet web site on an annual basis.

SECTION 4. IC 27-1-15.6-13.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 13.5. (a) An insurance producer shall disclose to any prospective and current clients on a separate written notification any commission, service fee, brokerage fee, or other valuable consideration, including:

- (1) whether the amount is based on a percentage of total plan premiums or a flat per member fee; and
- (2) any consideration received by the insurance producer from the insurer that is offering the insurance contract.

(b) A copy of the written notification required under this section must be signed by the client.

(c) An insurance producer has a fiduciary responsibility to the client under this section."

Page 1, line 5, after "contract" insert ", including a contract with a pharmacy benefit manager or a health facility,".

Page 1, line 7, after "employers" insert ", including individual employers or public employers participating in a multiple employer welfare arrangement under IC 27-1-34 or IC 5-10-8-5,".

Page 1, between lines 12 and 13, begin a new paragraph and insert:

"SECTION 6. IC 27-1-45 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]:

Chapter 45. All Payer Claims Data Base

Sec. 1. As used in this chapter, "data base" refers to the all payer claims data base created under this chapter.

Sec. 2. As used in this chapter, "health payer" includes the following:

- (1) Medicare.
- (2) Medicaid or a managed care organization (as defined in IC 12-7-2-126.9) that has contracted with Medicaid to provide services to a Medicaid recipient.
- (3) An insurer that issues a policy of accident and sickness insurance (as defined in IC 27-8-5-1).
- (4) A health maintenance organization (as defined in IC 27-13-1-19).
- (5) A pharmacy benefit manager (as defined in IC 27-1-24.8-3).
- (6) A third party administrator.
- (7) An insurer (as defined in IC 27-1-26-1), excluding insurers of life insurance.
- (8) Any other person identified by the commissioner for participation in the data base described in this chapter.

Sec. 3. (a) Before July 1, 2020, the department shall issue a request for information in compliance with IC 5-23-4.5 concerning the creation, operation, and maintenance of a data base.

(b) The request for information must include the

following questions:

(1) How the person would collect all relevant claims data for the data base from a health payer in a manner that would minimize technical barriers for a health payer to submit a claim.

(2) How the person would promote and encourage self-funded plans to voluntarily submit claims data for inclusion in the data base.

(3) What funding sources the person would seek to offset costs to implement and maintain the data base.

(4) How the person would make data from the data base available, including what sufficient fee would need to be assessed, to researchers, companies, and other interested parties in analyzing the data.

(5) How the person would ensure the following:

(A) That data is submitted and released in a machine readable format.

(B) That the data from the data base is used in an ethical manner.

(C) That the data is not personally identifiable and is properly secured and maintained, and that the person complies with federal and state health care privacy laws.

(6) How the person would establish a public web portal for individuals to quickly and easily compare prices for the full spectrum of medical billing codes as well as check quality ratings of providers.

(7) What threshold should be set for health payers to submit data for the data base.

(8) How the person would work with other states and relevant stakeholders to either:

(A) use a data language that is already available; or

(B) facilitate the establishment of a common data language to be used by states for the data.

(9) Whether any changes to state law would increase the functionality and effectiveness of the data base and recommendations of the statutes and necessary changes.

(10) Any other questions the department determines are relevant to the implementation of a robust and transparent data base.

(c) The department shall set the deadline for submissions of the request for information under this section that may be not later than November 30, 2020.

Sec. 4. (a) After May 30, 2021, the department shall issue a request for an entity that is not a state agency or political subdivision to create, operate, and maintain the data base under this chapter. In addition to the requirements of IC 5-22-9, the request for proposals must include the considerations contained in the request for information under section 3 of this chapter.

(b) The request for proposals must state that the data base's purpose is to facilitate the following:

(1) Identifying health care needs and informing health care policy.

(2) Comparing costs between various treatment settings and approaches.

(3) Providing information to consumers and purchasers of health care.

(4) Improving the quality and affordability of patient health care and health care coverage.

(c) The department shall publish the department's decision concerning the submissions not later than November 30, 2021, on the department's Internet web site.

(d) If the department accepts a submission for the request for proposals, the department shall enter into a contract with the person to act as administrator of the data base and develop the data base.

(e) The administrator shall ensure that the data base is secure and compliant with the federal Health Insurance Portability and Accountability Act (HIPAA).

Sec. 5. (a) A health payer shall begin submitting the required data in a format specified by the administrator of the data base not later than three (3) months from the first day the department declares the data base to be fully operational.

(b) An employer may opt-in to share claims data with the data base."

Page 8, after line 34, begin a new paragraph and insert:

"SECTION 8. IC 27-8-11-13 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2021]: **Sec. 13. (a) A fully credentialed provider shall be reimbursed for eligible services provided at any in-network hospital if the following conditions are met:**

(1) The provider submits the documentation required by the insurer to be loaded under the provider group or hospital.

(2) The provider, provider group, or hospital is a network provider with the insurer.

(3) The services are provided in accordance with all terms and conditions of the provider's, group provider's, or hospital's agreement or contract with the insurer.

(4) Prior authorization is obtained in accordance with IC 27-1-37.5 when required by the insurer for an eligible service.

(b) The insurer shall reimburse the provider or hospital for services described in subsection (a) at the rates determined by the contract between the provider and the insurer.

(c) An insurer is not required to credential a provider. However, if:

(1) a provider is employed by a hospital that is part of the hospital's network that is covered by the insurer; and

(2) the provider meets the insurer's credentialing requirements;

the insurer shall reimburse the provider for any reimbursable services from the date that the provider was employed by the hospital.

SECTION 9. IC 27-13-43-4 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2021]: **Sec. 4. (a) A fully credentialed provider shall be reimbursed for eligible services provided at any in-network hospital if the following conditions are met:**

(1) The provider submits the documentation required by the health maintenance organization to be loaded under the provider group or hospital.

(2) The provider, provider group, or hospital is a network provider with the health maintenance organization.

(3) The services are provided in accordance with all terms and conditions of the provider's, group provider's, or hospital's agreement or contract with the health maintenance organization.

(4) Prior authorization is obtained in accordance with IC 27-1-37.5 when required by the health maintenance organization for an eligible service.

(b) The health maintenance organization shall reimburse the provider or hospital for services described in subsection (a) at the rates determined by the contract between the provider and the health maintenance organization.

(c) A health maintenance organization is not required to credential a provider. However, if:

(1) a provider is employed by a hospital that is part of the hospital's network that is covered by the health maintenance organization; and

(2) the provider meets the health maintenance organization's credentialing requirements;

the health maintenance organization shall reimburse the

provider for any reimbursable services from the date that the provider was employed by the hospital.

SECTION 10. An emergency is declared for this act."

Renumber all SECTIONS consecutively.

(Reference is to SB 5 as reprinted January 31, 2020.)

and when so amended that said bill do pass.

Committee Vote: yeas 11, nays 0.

KIRCHHOER, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Public Health, to which was referred Senate Bill 21, 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 7, delete "advanced practice registered nurse,"

Page 1, line 8, delete "physician assistant,"

Page 1, line 8, after "dentist," insert "**advanced practice registered nurse, physician assistant,**"

(Reference is to SB 21 as printed January 10, 2020.)

and when so amended that said bill do pass.

Committee Vote: yeas 10, nays 0.

KIRCHHOFER, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Courts and Criminal Code, to which was referred Senate Bill 47, 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, delete lines 1 through 17.

Delete pages 2 through 4.

Page 5, delete lines 1 through 6.

Page 5, delete lines 7 through 42, begin a new paragraph and insert:

"SECTION 1. IC 35-38-9-2, AS AMENDED BY P.L.219-2019, SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 2. (a) Except as provided in subsection (b) and section 8.5 of this chapter, this section applies only to a person convicted of a misdemeanor, including a Class D felony (for a crime committed before July 1, 2014) or a Level 6 felony (for a crime committed after June 30, 2014) reduced to a misdemeanor.**

(b) This section does not apply to the following:

(1) A person convicted of two (2) or more 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.

(2) A sex or violent offender (as defined in IC 11-8-8-5).

(c) Not earlier than five (5) years after the date of conviction (unless the prosecuting attorney consents in writing to an earlier period) **for the misdemeanor or the felony reduced to a misdemeanor pursuant to IC 35-38-1-1.5 or IC 35-50-2-7, the person convicted of the misdemeanor or the felony reduced to a misdemeanor** may petition a court to expunge all conviction records, including records contained in:

(1) a court's files;

(2) the files of the department of correction;

(3) the files of the bureau of motor vehicles; and

(4) the files of any other person who provided treatment or services to the petitioning person under a court order; that relate to the person's misdemeanor conviction, including records of a collateral action.

(d) A person who files a petition to expunge conviction records, including any records relating to the conviction and any

records concerning a collateral action, shall file the petition in a circuit or superior court in the county of conviction.

(e) If the court finds by a preponderance of the evidence that:

- (1) the period required by this section has elapsed;
- (2) no charges are pending against the person;
- (3) the person has paid all fines, fees, and court costs, and satisfied any restitution obligation placed on the person as part of the sentence; and
- (4) the person has not been convicted of a crime within the previous five (5) years (or within a shorter period agreed to by the prosecuting attorney if the prosecuting attorney has consented to a shorter period under subsection (c));

the court shall order the conviction records described in subsection (c), including any records relating to the conviction and any records concerning a collateral action, expunged in accordance with section 6 of this chapter."

Page 6, delete lines 1 through 9.

Page 7, line 2, delete "agency," and insert **"agency or a probation or community corrections department,"**.

Page 7, line 3, delete "agency." and insert **"agency or the probation or community corrections department."**

Re-number all SECTIONS consecutively.

(Reference is to SB 47 as printed January 17, 2020.) and when so amended that said bill do pass.

Committee Vote: yeas 10, nays 1.

MCNAMARA, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Commerce, Small Business and Economic Development, to which was referred Senate Bill 78, 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 SB 78 as printed January 14, 2020.)

Committee Vote: Yeas 7, Nays 0.

MORRIS, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Local Government, to which was referred Senate Bill 100, 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 4, delete "legal" and insert **"legal,"**.

Page 1, line 7, delete "(b) This" and insert **"(b) Except as provided in subsection (c), this"**.

Page 1, delete lines 15 through 17.

Page 2, delete lines 1 through 4, begin a new line block indented and insert:

"(2) The new foundation of the reconstructed, repaired, or renovated structure may not exceed the square footage of the foundation of the damaged or destroyed structure.

(c) The provisions of subsection (b) concerning the reconstruction, repair, or renovation of a damaged or destroyed nonconforming structure do not authorize the reconstruction, repair, or renovation of a damaged or destroyed nonconforming structure that is:

(1) subject to the jurisdiction of a preservation commission organized under:

- (A) IC 36-7-11;**
- (B) IC 36-7-11.1;**
- (C) IC 36-7-11.2; or**
- (D) IC 36-7-11.3; or**

(2) located within a flood plain (as defined in IC 14-8-2-99)."

(Reference is to SB 100 as printed January 17, 2020.) and when so amended that said bill do pass.

Committee Vote: yeas 12, nays 0.

ZENT, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Ways and Means, to which was referred Engrossed Senate Bill 132, 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 ESB 132 as printed February 21, 2020.)

Committee Vote: Yeas 21, Nays 0.

BROWN T, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Courts and Criminal Code, to which was referred Senate Bill 146, 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, delete lines 1 through 17, begin a new paragraph and insert:

"SECTION 1. IC 35-31.5-2-185, AS AMENDED BY P.L.238-2015, SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 185. (a) "Law enforcement officer" means:

- (1) a police officer (including a correctional police officer), sheriff, constable, marshal, prosecuting attorney, special prosecuting attorney, special deputy prosecuting attorney, the securities commissioner, or the inspector general;**
- (2) a deputy of any of those persons;**
- (3) an investigator for a prosecuting attorney or for the inspector general;**
- (4) a conservation officer;**
- (5) an enforcement officer of the alcohol and tobacco commission;**
- (6) an enforcement officer of the securities division of the office of the secretary of state; or**
- (7) a gaming agent employed under IC 4-33-4.5 or a gaming control officer employed by the gaming control division under IC 4-33-20.**

(b) "Law enforcement officer", for purposes of IC 35-42-2-1, includes an alcoholic beverage enforcement officer, as set forth in IC 35-42-2-1.

(c) "Law enforcement officer", for purposes of IC 35-45-15, includes a federal enforcement officer, as set forth in IC 35-45-15-3.

(d) "Law enforcement officer", for purposes of IC 35-44.1-3-1 and IC 35-44.1-3-2, includes a school resource officer (as defined in IC 20-26-18.2-1) and a school corporation police officer appointed under IC 20-26-16.

(e) "Law enforcement officer", for purposes of IC 35-40.5, has the meaning set forth in IC 35-40.5-1-1.

SECTION 2. IC 35-31.5-2-255.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 255.5. "Provider", for purposes of IC 35-40.5, has the meaning set forth in IC 35-40.5-1-1.

SECTION 3. IC 35-31.5-2-273.4 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 273.4. "Relative", for purposes of IC 35-40.5, has the meaning set

forth in IC 35-40.5-1-1.

SECTION 4. IC 35-31.5-2-312.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 312.5. "State sexual assault response team", for purposes of IC 35-40.5, has the meaning set forth in IC 35-40.5-1-1.**

SECTION 5. IC 35-31.5-2-348, AS ADDED BY P.L.114-2012, SECTION 67, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 348. (a) "Victim", for purposes of IC 35-38-1-9 and IC 35-38-1-17, means a person who has suffered harm as a result of a crime.**

(b) "Victim", for purposes of IC 35-37-6, has the meaning set forth in IC 35-37-6-3.

(c) "Victim", for purposes of IC 35-38-7, has the meaning set forth in IC 35-38-7-4.

(d) "Victim", for purposes of IC 35-40, has the meaning set forth in IC 35-40-4-8.

(e) "Victim", for purposes of IC 35-40.5 has the meaning set forth in IC 35-40.5-1-1.

(f) "Victim", for purposes of IC 35-45-10, has the meaning set forth in IC 35-45-10-4.

SECTION 6. IC 35-40.5 IS ADDED TO THE INDIANA CODE AS A NEW ARTICLE TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]:

ARTICLE 40.5. RIGHTS OF SEXUAL ASSAULT VICTIMS

Chapter 1. Definitions

Sec. 1. The following definitions apply throughout this article:

(1) "Law enforcement officer" means any of the following:

(A) A law enforcement officer (as defined in IC 35-31.5-2-185).

(B) A state educational institution police officer appointed under IC 21-39-4.

(C) A school corporation officer appointed under IC 20-26-16.

(D) A school resource officer (as defined in IC 20-26-18.2-1).

(E) A police officer of a public or private postsecondary educational institution whose board of trustees has established a police department under IC 21-17-5-2 or IC 21-39-4-2.

(2) "Provider" has the meaning set forth in IC 16-21-8-0.2.

(3) "Relative" has the meaning set forth in IC 35-42-2-1(b).

(4) "Sexual assault forensic evidence" means the results collected from a forensic medical examination of a victim by a provider.

(5) "State sexual assault response team" means the statewide sexual assault response team coordinated by the Indiana prosecuting attorneys council and the Indiana criminal justice institute.

(6) "Victim" means an individual:

(A) who is a victim of sexual assault (as defined in IC 5-26.5-1-8); or

(B) who:

(i) is a relative of or a person who has had a close personal relationship with the individual described under clause (A); and

(ii) is designated by the individual described under clause (A) as a representative.

The term does not include an individual who is accused of committing an act of sexual assault (as defined in IC 5-26.5-1-8) against the individual described under clause (A).

(7) "Victim advocate" has the meaning set forth in IC 35-37-6-3.5.

(8) "Victim service provider" has the meaning set forth in IC 35-37-6-5.

Chapter 2. Attachment and Duration of Rights

Sec. 1. The rights provided to victims under this article attach whenever a victim is subject to:

(1) a forensic medical exam; or

(2) an interview by a law enforcement officer; in relation to injuries, trauma, or an investigation resulting from an alleged sexual assault.

Sec. 2. A victim continuously retains all the rights under this article regardless of whether the victim:

(1) agrees to participate in any civil or criminal proceeding related to the alleged sexual assault; or

(2) consents to a forensic medical exam to collect forensic evidence related to the alleged sexual assault.

Chapter 3. Right to a Victim Advocate or Victim Service Provider

Sec. 1. A victim has the right to:

(1) speak with a victim advocate or victim service provider during any hospital visit for the purpose of receiving a sexual assault examination; and

(2) speak with a victim advocate or victim service provider during the course of the investigation.

A victim retains these rights even if the victim has waived one (1) or more of these rights in a previous examination or interview.

Sec. 2. A victim's communications with a victim advocate or victim service provider are not admissible into evidence for any purpose except with consent of the victim.

Chapter 4. Collection of Sexual Assault Forensic Evidence

Sec. 1. As described in IC 16-21-8-6, a provider shall provide forensic medical exams and additional forensic services to a victim without charge.

Sec. 2. Before a provider commences a forensic medical examination, the provider shall inform the victim of the following:

(1) The victim's rights under this article and other relevant law in a document to be developed by the state sexual assault response team as described in IC 16-21-8-2, which shall be signed by the victim to confirm receipt, unless the victim has already been provided with the document under IC 35-40.5-5-1.

(2) The victim's right to speak with a victim advocate or victim service provider.

Chapter 5. Interview With a Law Enforcement Officer

Sec. 1. Before a law enforcement officer commences an interview of a victim, the law enforcement officer shall inform the victim of the following:

(1) The victim's rights under this article and other relevant law in a document to be developed by the state sexual assault response team as described in IC 16-21-8-2, which shall be signed by the victim to confirm receipt, unless the victim has already been provided with the document under IC 35-40.5-4-2.

(2) The victim's right to speak with a victim advocate or victim service provider during the course of the investigation.

Chapter 6. Compliance

Sec. 1. (a) A defendant or a person accused or convicted of a crime against a victim may not object to any failure in complying with this article.

(b) The failure to provide a right or notice to a victim under this section may not be used by a defendant to seek to have the conviction or sentence set aside."

Delete pages 2 through 7.

Page 8, delete lines 1 through 13.

Page 8, delete lines 29 through 30.

Page 8, line 31, delete "(3)" and insert "(2)".

Renumber all SECTIONS consecutively.

(Reference is to SB 146 as reprinted February 4, 2020.) and when so amended that said bill do pass.

Committee Vote: yeas 11, nays 0.

MCNAMARA, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Local Government, to which was referred Senate Bill 148, 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 6, line 24, delete "IC 36-7-4-1109.5," and insert "**IC 36-7-2-12,**".

Page 7, between lines 34 and 35, begin a new paragraph and insert:

"SECTION 16. IC 16-41-27-35 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 35. (a) A mobile home community operator shall provide each owner of a mobile home or manufactured home located in the mobile home community written notice of the operator's intent to close the mobile home community not later than one hundred eighty (180) days before the date of the intended closure.**

(b) A mobile home community operator who violates this section commits a deceptive act that is actionable by the attorney general or a consumer under IC 24-5-0.5-4 and is subject to the remedies and penalties under IC 24-5-0.5."

Page 7, line 37, delete "A" and insert "**Notwithstanding IC 36-7-4-1106, a**".

Page 7, line 40, delete "IC 36-7-4-1109.5)" and insert "**IC 36-7-4-1106)**".

Page 7, line 40, delete "or" and insert "**community licensed under IC 16-41-27."**

Page 7, delete line 41.

Page 8, delete lines 7 through 42.

Page 9, delete lines 1 through 8, begin a new paragraph and insert:

"SECTION 17. IC 36-7-4-1106 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 1106. (a) This section does not affect a requirement applicable to property that is subject to the jurisdiction of a preservation commission organized under any of the following:**

- (1) **IC 36-7-11.**
- (2) **IC 36-7-11.1.**
- (3) **IC 36-7-11.2.**
- (4) **IC 36-7-11.3.**

(b) As used in this section:

- (1) "Manufactured home" means a dwelling unit, designed and built in a factory, which bears a seal certifying that it was built in compliance with the federal Manufactured Housing Construction and Safety Standards Law of 1974 (42 U.S.C. 5401 et seq.).
- (2) "Underfloor space" means that space between the bottom of the floor joists and the earth.
- (3) "Occupied space" means the total area of earth horizontally covered by the structure, excluding accessory structures such as, but not limited to, garages, patios and porches.
- (4) "**Permanent foundation system" includes a pier footing foundation system that is specified as suitable in the manufacturer's installation specifications for a manufactured home.**

(b) (c) Comprehensive plans and ordinances adopted under the provisions of this chapter may subject dwelling units and lots to identical standards and requirements, whether or not the dwelling unit to be placed on a lot is a manufactured home or some other type of dwelling unit. These standards and requirements may include but are not limited to the following:

- (1) Setback distance.

- (2) Side and rear yard area.
- (3) Vehicle parking space.
- (4) Minimum square footage of the dwelling unit. ~~and~~
- (5) Underfloor space enclosure requirements.
- (6) Aesthetics.** However, aesthetic standards and requirements pertaining to the home structure itself which are adopted under this section may only pertain to the following:

- (A) Roofing materials and siding materials.**
- (B) Permanent foundation systems of manufactured homes that are located outside of a mobile home community licensed under IC 16-41-27. A unit may require compatibility of a permanent foundation system with surrounding residential structures. However, the unit may not require:**

- (i) a permanent foundation system that is incompatible with the structural design of the manufactured home; or**
- (ii) more than one (1) permanent foundation system for a manufactured home.**

(c) (d) METRO. Standards and requirements, specified in comprehensive plans and ordinances, adopted under this section for lots and dwelling units may not totally preclude all manufactured homes constructed after January 1, 1981, and that exceed twenty-three (23) feet in width and nine hundred fifty (950) square feet of occupied space, from being installed as permanent residences on any lot on which any other type of dwelling unit may be placed.

(c) (e) ADVISORY—AREA. Standards and requirements, specified in comprehensive plans and ordinances, adopted under this section for lots and dwelling units may not totally preclude all manufactured homes constructed after January 1, 1981, and that exceed nine hundred fifty (950) square feet of occupied space, from being installed as permanent residences on any lot on which any other type of dwelling unit may be placed."

Remember all SECTIONS consecutively.

(Reference is to SB 148 as reprinted January 31, 2020.) and when so amended that said bill do pass.

Committee Vote: yeas 12, nays 0.

ZENT, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Utilities, Energy and Telecommunications, to which was referred Senate Bill 177, 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 SB 177 as printed January 24, 2020.)

Committee Vote: Yeas 8, Nays 0.

SOLIDAY, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Rules and Legislative Procedures, to which was referred Senate Bill 178, 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 8, delete lines 15 through 32.

Page 9, delete lines 2 through 42.

Page 10, delete lines 1 through 16.

Page 11, line 2, delete ""."

Page 11, line 2, reset in roman "A straight party vote will not count as".

Page 11, reset in roman line 3.

Page 13, delete lines 33 through 42.

Delete page 14.
 Page 15, delete lines 1 through 18.
 Page 26, delete lines 1 through 9.
 Page 28, line 26, after "IC 3-11-2-8" insert ",".
 Page 28, line 26, reset in roman "IC 3-11-2-10(d)".
 Page 28, line 27, reset in roman "IC 3-11-2-10(e)".
 Page 28, line 27, delete "IC 3-11-2-10(c)".
 Page 28, line 28, delete ":".
 Page 28, line 28, reset in roman "a single connectable arrow, circle, oval".
 Page 28, reset in roman lines 29 through 33.
 Page 28, line 41, reset in roman "instructions".
 Page 28, reset in roman line 42.
 Page 29, delete lines 30 through 41, begin a new paragraph and insert:
 "SECTION 31. IC 3-11-13-14, AS AMENDED BY P.L.21-2016, SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 14. (a) In partisan elections, the ballot labels must include a voting square or position where a voter may by one (1) voting mark on each card record a straight party or an independent ticket vote for all the candidates of one (1) political party or the independent ticket, except for offices for which the voter:
 (1) is required to cast an individual vote for a candidate under IC 3-11-7-4(b); or
 (2) has voted individually for a candidate for any other office.
 (b) If the voter records a vote for the two (2) candidates comprising an independent ticket, the vote must not count for any other independent candidate on the ballot.
 (c) **A ballot label must not include a voting square or position to permit a voter to cast a straight party ticket for a political party or independent ticket if:**
 (1) **there are no candidates of that political party; or**
 (2) **the only candidates of the political party are for election to offices to which more than one (1) individual is to be elected and which will not be credited with a vote under IC 3-12-1-7 if a voter casts a straight party ticket."**
 Page 29, delete line 42.
 Delete pages 30 through 31.
 Page 32, delete lines 1 through 19.
 Page 33, line 2, after "IC 3-11-2-12.9(a)," insert "**IC 3-11-2-12.9(c)**".
 Page 33, line 13, delete """, "
 Page 33, line 13, reset in roman "To vote for any candidate".
 Page 33, reset in roman lines 14 through 15.
 Page 33, line 16, reset in roman "for any candidate for this office.", "
 Page 34, line 39, after "IC 3-11-2-8" insert ",".
 Page 34, line 39, reset in roman "IC 3-11-2-10(d)".
 Page 34, line 40, reset in roman "IC 3-11-2-10(e)".
 Page 34, line 40, delete "IC 3-11-2-10(c)".
 Page 35, line 2, after "(m)" insert "**Except as provided in section 14.5 of this chapter**".
 Page 35, line 2, delete "The" and insert "the".
 Page 35, line 2, delete ":".
 Page 35, line 2, reset in roman "a touch sensitive point or button".
 Page 35, reset in roman lines 3 through 5.
 Page 35, line 12, reset in roman "instructions described in".
 Page 35, line 13, reset in roman "IC 3-11-2-10(c) for voting a straight party ticket and the".
 Page 35, delete lines 37 through 42, begin a new paragraph and insert:
 "SECTION 34. IC 3-11-14-14.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 14.5. A ballot label must not include a touch sensitive point or button to permit a voter to cast a straight party ticket for a political**

party or independent ticket if:

- (1) there are no candidates of that political party; or**
- (2) the only candidates of the political party are for election to offices to which more than one (1) individual is to be elected and which will not be credited with a vote under IC 3-12-1-7 if a voter casts a straight party ticket."**

Delete page 36.

Page 37, delete lines 1 through 34.

Page 39, line 11, delete "described in subsection (c)".

Page 39, line 33, delete "in a pilot program".

Page 45, delete lines 21 through 42.

Delete pages 46 through 48.

Page 49, delete lines 1 through 37.

Renumber all SECTIONS consecutively.

(Reference is to ESB 178 as printed February 18, 2020.)

and when so amended that said bill do pass.

Committee Vote: yeas 7, nays 3.

LEONARD, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Insurance, to which was referred Senate Bill 184, 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 21, begin a new paragraph and insert:

"Sec. 4. (a) Nonprofit agricultural organization coverage provided under this chapter:

(1) is not insurance;

(2) shall not be considered to be insurance under this title or any other provision of Indiana law; and

(3) is not subject to the regulatory authority of the department of insurance under this title or any other provision of Indiana law.

(b) Entering into a contract between a nonprofit agricultural organization and an individual for health coverage under this chapter does not constitute the business of insurance.

(c) A nonprofit agricultural organization providing coverage under this chapter is not required to obtain a certificate of authority under IC 27-1-3-20."

Page 2, delete lines 22 through 25.

Page 2, line 26, delete "Sec. 6." and insert "**Sec. 5.**".

Page 2, line 27, delete "file a signed actuarial statement" and insert "**annually file**".

Page 2, line 28, delete "annually certifying" and insert "**a written, signed opinion of a qualified actuary**".

Page 2, line 28, after "reserves" insert "**of the nonprofit agricultural organization and its affiliate**".

Page 2, line 31, delete "Sec. 7." and insert "**Sec. 6.**".

Page 2, line 32, delete "may reinsure the risk" and insert "**shall reinsure all or a portion of its risks**".

Page 2, line 32, delete "using" and insert "**with**".

Page 2, line 33, delete "conduct reinsurance" and insert "**transact reinsurance business or stop-loss insurance business**".

Page 2, line 34, delete "Sec. 8." and insert "**Sec. 7.**".

Page 2, line 38, delete "Sec. 9. Before" and insert "**Sec. 8. (a) When**".

Page 3, line 2, delete "." and insert "**of insurance.**".

Page 3, after line 2, begin a new paragraph and insert:

"(b) An individual entering into a contract for health coverage under this chapter must acknowledge that the coverage:

(1) is not considered insurance; and

(2) is not subject to the administrative rules of the department of insurance.

(c) The acknowledgment required by subsection (b) must be in a writing signed by the individual. The nonprofit agricultural organization shall:

- (1) keep a copy of the written acknowledgment for the entire duration of the contract under which the individual is provided coverage under this chapter; and
- (2) provide a copy of the acknowledgment to the individual at the individual's request.

Sec. 9. An individual may not apply for health coverage provided under this chapter until the individual has been a member of the nonprofit agricultural organization offering the health coverage for at least thirty (30) days.

Sec. 10. Health coverage provided to an individual under this chapter:

- (1) must include coverage for:
 - (A) ambulatory patient services;
 - (B) hospitalization;
 - (C) emergency services; and
 - (D) laboratory services; and
- (2) may not be subject to an annual limit of less than two million dollars (\$2,000,000) per year.

Sec. 11. The provisions of this chapter are severable in the manner provided in IC 1-1-1-8(b)."

(Reference is to SB 184 as reprinted February 4, 2020.) and when so amended that said bill do pass.

Committee Vote: yeas 13, nays 0.

CARBAUGH, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Ways and Means, to which was referred Senate Bill 190, 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 3, line 14, delete "A project" and insert "**The share of expenditures for a project**".

Page 3, line 16, after "rehabilitation" insert "**exclusively**".

Page 3, line 20, delete "." and insert ";".

Page 3, after line 20, begin a new line block indented and insert:

"that will be paid from a source other than property taxes.

SECTION 2. IC 6-1.1-20-10, AS AMENDED BY P.L.198-2011, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 10. (a) This section applies to:

- (1) a political subdivision that adopts an ordinance or a resolution making a preliminary determination to issue bonds or enter into a lease; **and**
- (2) **any other political subdivision that has assessed value within the same taxing district as the political subdivision described in subdivision (1).**

Except as otherwise provided in this section, during the period commencing with the adoption of the ordinance or resolution and, if a petition and remonstrance process is commenced under section 3.2 of this chapter, continuing through the sixty (60) day period commencing with the notice under section 3.2(b)(1) of this chapter, the political subdivision seeking to issue bonds or enter into a lease for the proposed controlled project, **or any other political subdivision that has assessed value within the same taxing district, may adopt but may not promote a position on the petition or remonstrance by doing any of the following:**

- (1) Using facilities or equipment, including mail and messaging systems, owned by the political subdivision to promote a position on the petition or remonstrance, unless equal access to the facilities or equipment is given to

persons with a position opposite to that of the political subdivision.

(2) Making an expenditure of money from a fund controlled by the political subdivision to promote a position on the petition or remonstrance or to pay for the gathering of signatures on a petition or remonstrance. This subdivision does not prohibit a political subdivision from making an expenditure of money to an attorney, an architect, registered professional engineer, a construction manager, or a financial adviser for professional services provided with respect to a controlled project.

(3) Using an employee to promote a position on the petition or remonstrance during the employee's normal working hours or paid overtime, or otherwise compelling an employee to promote a position on the petition or remonstrance at any time. However, if a person described in subsection (f) is advocating for or against a position on the petition or remonstrance or discussing the petition or remonstrance as authorized under subsection (f), an employee of the political subdivision may assist the person in presenting information on the petition or remonstrance, if requested to do so by the person described in subsection (f).

(4) In the case of a school corporation, promoting a position on a petition or remonstrance by:

- (A) using students to transport written materials to their residences or in any way involving students in a school organized promotion of a position;
- (B) including a statement within another communication sent to the students' residences; or
- (C) initiating discussion of the petition and remonstrance process at a meeting between a teacher and parents of a student regarding the student's performance or behavior at school. However, if the parents initiate a discussion of the petition and remonstrance process at the meeting, the teacher may acknowledge the issue and direct the parents to a source of factual information on the petition and remonstrance process.

However, this section does not prohibit an official or employee of the political subdivision from carrying out duties with respect to a petition or remonstrance that are part of the normal and regular conduct of the official's or employee's office or agency, including the furnishing of factual information regarding the petition and remonstrance in response to inquiries from any person.

(b) A person may not solicit or collect signatures for a petition or remonstrance on property owned or controlled by the political subdivision.

(c) The staff and employees of a school corporation may not personally identify a student as the child of a parent or guardian who supports or opposes a petition or remonstrance.

(d) This subsection does not apply to:

- (1) a personal expenditure to promote a position on a petition and remonstrance by an employee of a school corporation whose employment is governed by a collective bargaining contract or an employment contract; or
- (2) an expenditure to promote a position on a petition and remonstrance by a person or an organization that has a contract or an arrangement with the school corporation solely for the use of the school corporation's facilities.

A person or an organization that has a contract or an arrangement (whether formal or informal) with a school corporation to provide goods or services to the school corporation may not spend any money to promote a position on the petition or remonstrance. A person or an organization that violates this subsection commits a Class A infraction.

(e) An attorney, an architect, registered professional engineer, a construction manager, or a financial adviser for professional

services provided with respect to a controlled project may not spend any money to promote a position on the petition or remonstrance. A person who violates this subsection:

- (1) commits a Class A infraction; and
- (2) is barred from performing any services with respect to the controlled project.

(f) Notwithstanding any other law, an elected or appointed public official of the political subdivision (including any school board member and school corporation superintendent), a school corporation assistant superintendent, or a chief school business official of a school corporation may at any time:

- (1) personally advocate for or against a position on the petition or remonstrance; or
- (2) discuss the petition or remonstrance with any individual, group, or organization or personally advocate for or against a position on the petition or remonstrance before any individual, group, or organization;

so long as it is not done by using public funds. Advocacy or discussion allowed under this subsection is not considered a use of public funds. However, this subsection does not authorize or apply to advocacy or discussion by a school board member, superintendent, assistant superintendent, or school business official to or with students that occurs during the regular school day.

SECTION 3. IC 6-1.1-20-10.1, AS AMENDED BY P.L.198-2011, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 10.1. (a) This section applies only to:

- (1) a political subdivision that ~~after June 30, 2008~~, adopts an ordinance or a resolution making a preliminary determination to issue bonds or enter into a lease subject to sections 3.5 and 3.6 of this chapter; and
- (2) **any other political subdivision that has assessed value within the same taxing district as the political subdivision described in subdivision (1).**

(b) Except as otherwise provided in this section, during the period beginning with the adoption of the ordinance or resolution and continuing through the day on which a local public question is submitted to the voters of the political subdivision under section 3.6 of this chapter, the political subdivision seeking to issue bonds or enter into a lease for the proposed controlled project, **or any other political subdivision that has assessed value within the same taxing district, may adopt but may not promote a position on the local public question by doing any of the following:**

- (1) Using facilities or equipment, including mail and messaging systems, owned by the political subdivision to promote a position on the local public question, unless equal access to the facilities or equipment is given to persons with a position opposite to that of the political subdivision.
- (2) Making an expenditure of money from a fund controlled by the political subdivision to promote a position on the local public question. This subdivision does not prohibit a political subdivision from making an expenditure of money to an attorney, an architect, a registered professional engineer, a construction manager, or a financial adviser for professional services provided with respect to a controlled project.
- (3) Using an employee to promote a position on the local public question during the employee's normal working hours or paid overtime, or otherwise compelling an employee to promote a position on the local public question at any time. However, if a person described in subsection (f) is advocating for or against a position on the local public question or discussing the local public question as authorized under subsection (f), an employee of the political subdivision may assist the person in presenting information on the local public question, if requested to do so by the person described in subsection

(f).

(4) In the case of a school corporation, promoting a position on a local public question by:

- (A) using students to transport written materials to their residences or in any way involving students in a school organized promotion of a position;
- (B) including a statement within another communication sent to the students' residences; or
- (C) initiating discussion of the local public question at a meeting between a teacher and parents of a student regarding the student's performance or behavior at school. However, if the parents initiate a discussion of the local public question at the meeting, the teacher may acknowledge the issue and direct the parents to a source of factual information on the local public question.

However, this section does not prohibit an official or employee of the political subdivision from carrying out duties with respect to a local public question that are part of the normal and regular conduct of the official's or employee's office or agency, including the furnishing of factual information regarding the local public question in response to inquiries from any person.

(c) The staff and employees of a school corporation may not personally identify a student as the child of a parent or guardian who supports or opposes a controlled project subject to a local public question held under section 3.6 of this chapter.

(d) This subsection does not apply to:

- (1) a personal expenditure to promote a position on a local public question by an employee of a school corporation whose employment is governed by a collective bargaining contract or an employment contract; or
- (2) an expenditure to promote a position on a local public question by a person or an organization that has a contract or an arrangement (whether formal or informal) with the school corporation solely for the use of the school corporation's facilities.

A person or an organization that has a contract or an arrangement (whether formal or informal) with a school corporation to provide goods or services to the school corporation may not spend any money to promote a position on a local public question. A person or an organization that violates this subsection commits a Class A infraction.

(e) An attorney, an architect, a registered professional engineer, a construction manager, or a financial adviser for professional services provided with respect to a controlled project may not spend any money to promote a position on a local public question. A person who violates this subsection:

- (1) commits a Class A infraction; and
- (2) is barred from performing any services with respect to the controlled project.

(f) Notwithstanding any other law, an elected or appointed public official of the political subdivision (including any school board member and school corporation superintendent), a school corporation assistant superintendent, or a chief school business official of a school corporation may at any time:

- (1) personally advocate for or against a position on the local public question; or
- (2) discuss the public question with any individual, group, or organization or otherwise personally advocate for or against a position on the public question before any individual, group, or organization;

so long as it is not done by using public funds. Advocacy or discussion allowed under this subsection is not considered a use of public funds. However, this subsection does not authorize or apply to advocacy or discussion by a school board member, superintendent, assistant superintendent, or school business official to or with students that occurs during the regular school day.

(g) A student may use school equipment or facilities to report or editorialize about a local public question as part of the news

coverage of the referendum by student newspaper or broadcast."

Renumber all SECTIONS consecutively.
 (Reference is to SB 190 as printed January 22, 2020.)
 and when so amended that said bill do pass.
 Committee Vote: yeas 21, nays 0.

BROWN T., Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Courts and Criminal Code, to which was referred Senate Bill 209, 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 SB 209 as printed January 31, 2020.)
 Committee Vote: Yeas 9, Nays 0.

MCNAMARA, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Courts and Criminal Code, to which was referred Senate Bill 216, 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 12, line 22, after "IC 35-42-2-1(b)." insert "**However, the term "agent" does not include an attorney in good standing admitted to the practice of law in Indiana.**"

(Reference is to SB 216 as reprinted February 4, 2020.)
 and when so amended that said bill do pass.
 Committee Vote: yeas 10, nays 0.

MCNAMARA, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Environmental Affairs, to which was referred Senate Bill 229, 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 24, delete "The" and insert "**The maintenance of a regulated drain as defined in IC 36-9-27-2, or the reconstruction of a regulated drain as defined in IC 36-9-27-2, provided that the reconstruction or maintenance is within an existing regulated drainage easement as defined by IC 36-9-27-33.**"

Page 2, line 24, delete "reconstruction or maintenance (as defined in".

Page 2, delete lines 25 through 26.
 (Reference is to SB 229 as printed January 14, 2020.)
 and when so amended that said bill do pass.

Committee Vote: yeas 5, nays 4.

WOLKINS, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Insurance, to which was referred Senate Bill 241, 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, between lines 15 and 16, begin a new paragraph and insert:

"Sec. 3.5. As used in this chapter, "equal access and incentives" means that a pharmacy benefit manager allows any willing pharmacy provider to participate as part of any

of the pharmacy benefit manager's networks and in any class or tier of any pharmacy network as long as the pharmacy provider agrees to the terms and conditions of the relevant contract applicable to any other pharmacy provider within that network."

Page 4, line 5, after "19." insert "(a)".

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

"(b) A pharmacy benefit manager may not do any of the following:

(1) Condition participation in any network on accreditation, credentialing, or licensing of a pharmacy provider, other than a license or permit required by the Indiana board of pharmacy or other state or federal regulatory authority for the services provided by the pharmacy.

(2) Exclude a pharmacy provider from dispensing any drug product for which the pharmacy meets the manufacturer's dispensing guidelines.

(3) Discriminate against any pharmacy provider."

Page 5, delete line 3.

Page 5, line 4, delete "(v)" and insert "(iv)".

Page 5, line 6, delete "(vi)" and insert "(v)".

Page 5, line 9, delete "(vii)" and insert "(vi)".

Page 5, line 11, delete "(viii)" and insert "(vii)".

Page 10, between lines 32 and 33, begin a new paragraph and insert:

"Sec. 28. A person or entity that has contracted with a pharmacy benefit manager for the performance of any services described in section 12(a) of this chapter is entitled to full disclosure from the pharmacy benefit manager of the terms of a contract between the pharmacy benefit manager and any other person or entity concerning the performance of the services described in section 12(a) of this chapter, including:

(1) the purchase price for prescription drugs set by a contract entered into by the pharmacy benefit manager; and

(2) the amount of any rebate provided in connection with the purchase of prescription drugs under a contract entered into by the pharmacy benefit manager.

Sec. 29. A pharmacy services administrative organization shall, upon request, fully disclose to:

- (1) an independent pharmacy;**
- (2) a pharmacy benefit manager; or**
- (3) a health plan;**

on whose behalf the pharmacy services administrative organization acts the terms of a contract between the pharmacy services administrative organization and any other person or entity concerning the actions taken by the pharmacy services administrative organization on behalf of the independent pharmacy, pharmacy benefit manager, or health plan."

Page 10, line 33, delete "28." and insert "30".

(Reference is to SB 241 as reprinted January 29, 2020.)
 and when so amended that said bill do pass.

Committee Vote: yeas 12, nays 0.

CARBAUGH, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Insurance, to which was referred Senate Bill 243, 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:

Delete everything after the enacting clause and insert the following:

SECTION 1. IC 25-22.5-5.5 IS ADDED TO THE INDIANA

CODE AS A NEW CHAPTER TO READ AS FOLLOWS
[EFFECTIVE JULY 1, 2020]:

Chapter 5.5. Physician Noncompete Agreements

Sec. 1. This chapter applies to physician noncompete agreements originally entered into on or after July 1, 2020.

Sec. 2. To be enforceable, a physician noncompete agreement must include all of the following provisions:

- (1) A provision requiring the physician's employer to provide the physician with a copy of any notice that:
 - (A) concerns the physician's departure from the employer; and
 - (B) was sent to any patient seen or treated by the physician during the two (2) year period preceding the termination of the physician's employment or expiration of the physician's contract.

The patients' names and contact information must be redacted from the copy of a notice provided to a physician under this subdivision.

- (2) A provision requiring the physician's employer to, in good faith, provide the physician's last known or current contact and location information to a patient who:

- (A) requests updated contact and location information concerning the physician; and
- (B) was seen or treated by the physician during the two (2) year period preceding the termination of the physician's employment or expiration of the physician's contract.

- (3) A provision that provides the physician with:

- (A) access to; or
- (B) copies of;

any medical record associated with a patient described in subdivision (1) or (2) upon receipt of the patient's consent.

- (4) A provision under which a physician whose employment has terminated or whose contract has expired may purchase a complete and final release from the terms of the enforceable physician noncompete agreement at a reasonable price. However, if the physician elects not to exercise the purchase option required by this subdivision, the purchase option may not be used in any manner to restrict, bar, or otherwise limit the employer's equitable remedies, including the employer's enforcement of the physician noncompete agreement.
- (5) A provision prohibiting the providing of patient medical records to a requesting physician in a format that materially differs from the format used to create or store the medical record during the routine or ordinary course of business, unless a different format is mutually agreed upon by the parties. Paper or portable document format copies of the medical records satisfy the formatting requirement of this subdivision.

Sec. 3. A person or entity required to create, copy, or transfer a patient's medical record for a reason specified in this chapter may charge a reasonable fee for the service as permitted under applicable state or federal law.

Sec. 4. Nothing in this chapter shall be construed to prohibit, limit, impair, or abrogate:

- (1) the ability of the parties to negotiate any other term not specified under this chapter; or
- (2) any other right, remedy, or relief permitted by law or in equity.

(Reference is to SB 243 as reprinted February 4, 2020.)
and when so amended that said bill do pass.

Committee Vote: yeas 12, nays 0.

CARBAUGH, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Ways and Means, to which was referred Engrossed Senate Bill 256, 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 3, delete lines 27 through 42, begin a new paragraph and insert:

"SECTION 2. IC 33-33-10-2.5, AS ADDED BY P.L.201-2011, SECTION 35, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 2.5. (a) The Clark circuit court is a court of general jurisdiction with ~~four (4)~~ **six (6)** judges. The divisions of the court shall be known as Clark circuit court No. 1, No. 2, No. 3, ~~and~~ No. 4, **No. 5, and No. 6.** Clark County constitutes the judicial district of the court and each of the court's divisions. The court shall maintain the following dockets:

- (1) A small claims and misdemeanor division under IC 33-28-3 that has a:
 - (A) small claims docket; and
 - (B) minor offenses and violations docket.
- (2) Criminal.
- (3) Juvenile.
- (4) Civil.
- (5) Probate.

(b) The assignment of judges of the circuit court to the dockets specified in subsection (a) must be by rule of the circuit court.

SECTION 3. IC 33-33-10-2.6 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 2.6. (a) Notwithstanding section 2.5 of this chapter, Clark circuit courts No. 5 and No. 6 are established January 1, 2023.**

(b) The first judges of Clark circuit courts No. 5 and No. 6 shall:

- (1) be elected at the November 2022 general election;
- (2) take office January 1, 2023; and
- (3) serve a term of six (6) years.

(c) This section expires January 1, 2029."

Delete pages 4 through 6.

Page 7, delete lines 1 through 34.

Page 9, delete lines 25 through 42.

Page 10, delete lines 1 through 17.

Renumber all SECTIONS consecutively.

(Reference is to ESB 256 as printed February 21, 2020.)
and when so amended that said bill do pass.

Committee Vote: yeas 21, nays 0.

BROWN, T., Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Roads and Transportation, to which was referred Senate Bill 257, 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 7, between lines 21 and 22, begin a new paragraph and insert:

"SECTION 3. IC 36-7-4-1603, AS ADDED BY P.L.126-2011, SECTION 50, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 1603. (a) The following have standing to obtain judicial review of a zoning decision:

- (1) A person to whom the zoning decision is specifically directed.
- (2) A person aggrieved by the zoning decision who participated in the board hearing that led to the decision, either:

- (A) by appearing at the hearing in person, by agent, or by attorney and presenting relevant evidence; or
- (B) by filing with the board a written statement setting forth any facts or opinions relating to the decision.

(3) A person that is a public use airport owner or operator has standing to obtain judicial review of a zoning decision that may have a negative impact on the safety of civilian or military flight operations to or from the airport.

~~(3)~~ **(4) A person otherwise aggrieved or adversely affected by the zoning decision.**

(b) A person has standing under subsection ~~(a)(3)~~ **(a)(4)** only if:

- (1) the zoning decision has prejudiced or is likely to prejudice the interests of the person;
- (2) the person was eligible for an initial notice of a hearing under this chapter, was not notified of the hearing in substantial compliance with this chapter, and did not have actual notice of the hearing before the last date in the hearing that the person could object or otherwise intervene to contest the zoning decision;
- (3) the person's asserted interests are among those that the board was required to consider when it made the challenged zoning decision; and
- (4) a judgment in favor of the person would substantially eliminate or redress the prejudice to the person caused or likely to be caused by the zoning decision.

SECTION 4. IC 36-7-4-1606, AS ADDED BY P.L.126-2011, SECTION 53, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 1606. (a) Venue is in the judicial district where the land affected by the zoning decision is located.

(b) If more than one (1) person may be aggrieved by the zoning decision, only one (1) proceeding for review may be had, and the court in which a petition for review is first properly filed has jurisdiction.

(c) The rules of procedure governing civil actions in the courts govern pleadings and requests under this chapter for a change of judge or change of venue to another judicial district described in subsection (a).

(d) Each person who:

- (1) was a petitioner or applicant at the hearing before the board; or
- (2) is aggrieved by the zoning decision and entered a written appearance as an adverse party to the petitioner or applicant before the board hearing that led to the zoning decision, as described in section 920(h) of this chapter; is a party to the petition for review.

(e) Any other person who participated, in the manner described in section 1603(a)(2) of this chapter, in the board hearing that led to the zoning decision may, not later than five (5) days after the decision is made, file with the board a written request that the person receive notice of any petition for review that may be filed. The written request must include the person's full name and correct mailing address and a reference to the board's docket number relative to the zoning decision.

(f) Any person who has standing under section 1603(a)(2), ~~or 1603(a)(3), or 1603(a)(4)~~ of this chapter has an unconditional right to intervene in a proceeding for review. A motion to intervene in a proceeding for review shall be filed in the manner provided by the rules of procedure governing civil actions in courts."

Renumber all SECTIONS consecutively.

(Reference is to SB 257 as printed January 22, 2020.) and when so amended that said bill do pass.

Committee Vote: yeas 9, nays 0.

SULLIVAN, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Education, to which was referred Senate Bill 319, 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 9, reset in roman "An externship with a company."

Page 1, line 9, delete "Working for or with a local".

Page 1, delete lines 10 through 13.

Page 1, line 16, after "navigation" delete "," and insert ".".

Page 1, delete line 17.

Page 2, delete line 1.

Page 2, delete lines 8 through 23.

(Reference is to SB 319 as reprinted February 4, 2020.) and when so amended that said bill do pass.

Committee Vote: yeas 12, nays 1.

BEHNING, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Roads and Transportation, to which was referred Senate Bill 331, 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 SB 331 as printed January 29, 2020.)

Committee Vote: Yeas 9, Nays 0.

SULLIVAN, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Courts and Criminal Code, to which was referred Senate Bill 335, 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 11, delete "fifteen (15)" and insert "**seven (7)**".

Page 2, line 22, delete "fifteen (15)" and insert "**seven (7)**".

Page 3, line 2, delete "Schedule" and insert "**schedule**".

Page 3, line 9, delete "includes" and insert "**means**".

Page 3, line 10, after "to a" insert "**conviction for a**".

Page 3, line 11, after "to a" insert "**conviction for a**".

Page 28, after line 42, begin a new paragraph and insert:

"SECTION 29. IC 16-41-8-5, AS AMENDED BY P.L.65-2016, SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 5. (a) This section does not apply to medical testing of an individual for whom an indictment or information is filed for a sex crime and for whom a request to have the individual tested under section 6 of this chapter is filed.

(b) The following definitions apply throughout this section:

(1) "Bodily fluid" means blood, human waste, or any other bodily fluid.

(2) ~~"Dangerous disease"~~ "**Serious disease**" means any of the following:

- (A) Chancroid.
- (B) Chlamydia.
- (C) Gonorrhea.
- (D) Hepatitis.
- (E) Human immunodeficiency virus (HIV).
- (F) Lymphogranuloma venereum.
- (G) Syphilis.
- (H) Tuberculosis.

(3) "Offense involving the transmission of a bodily fluid" means any offense (including a delinquent act that would be a crime if committed by an adult) in which a bodily fluid is transmitted from the defendant to the victim in

connection with the commission of the offense.

(c) This subsection applies only to a defendant who has been charged with a potentially disease transmitting offense. At the request of an alleged victim of the offense, the parent, guardian, or custodian of an alleged victim who is less than eighteen (18) years of age, or the parent, guardian, or custodian of an alleged victim who is an endangered adult (as defined in IC 12-10-3-2), the prosecuting attorney shall petition a court to order a defendant charged with the commission of a potentially disease transmitting offense to submit to a screening test to determine whether the defendant is infected with a ~~dangerous serious~~ disease. In the petition, the prosecuting attorney must set forth information demonstrating that the defendant has committed a potentially disease transmitting offense. The court shall set the matter for hearing not later than forty-eight (48) hours after the prosecuting attorney files a petition under this subsection. The alleged victim, the parent, guardian, or custodian of an alleged victim who is less than eighteen (18) years of age, and the parent, guardian, or custodian of an alleged victim who is an endangered adult (as defined in IC 12-10-3-2) are entitled to receive notice of the hearing and are entitled to attend the hearing. The defendant and the defendant's counsel are entitled to receive notice of the hearing and are entitled to attend the hearing. If, following the hearing, the court finds probable cause to believe that the defendant has committed a potentially disease transmitting offense, the court may order the defendant to submit to a screening test for one (1) or more ~~dangerous serious~~ diseases. ~~If the defendant is charged with battery (IC 35-42-2-1) or domestic battery (IC 35-42-2-1.3) involving placing a bodily fluid or waste on another person, the court may limit testing under this subsection to a test only for human immunodeficiency virus (HIV). However, the court may order additional testing for human immunodeficiency virus (HIV) as may be medically appropriate.~~ The court shall take actions to ensure the confidentiality of evidence introduced at the hearing.

(d) This subsection applies only to a defendant who has been charged with an offense involving the transmission of a bodily fluid. At the request of an alleged victim of the offense, the parent, guardian, or custodian of an alleged victim who is less than eighteen (18) years of age, or the parent, guardian, or custodian of an alleged victim who is an endangered adult (as defined in IC 12-10-3-2), the prosecuting attorney shall petition a court to order a defendant charged with the commission of an offense involving the transmission of a bodily fluid to submit to a screening test to determine whether the defendant is infected with a ~~dangerous serious~~ disease. In the petition, the prosecuting attorney must set forth information demonstrating that:

- (1) the defendant has committed an offense; and
- (2) a bodily fluid was transmitted from the defendant to the victim in connection with the commission of the offense.

The court shall set the matter for hearing not later than forty-eight (48) hours after the prosecuting attorney files a petition under this subsection. The alleged victim of the offense, the parent, guardian, or custodian of an alleged victim who is less than eighteen (18) years of age, and the parent, guardian, or custodian of an alleged victim who is an endangered adult (as defined in IC 12-10-3-2) are entitled to receive notice of the hearing and are entitled to attend the hearing. The defendant and the defendant's counsel are entitled to receive notice of the hearing and are entitled to attend the hearing. If, following the hearing, the court finds probable cause to believe that the defendant has committed an offense and that a bodily fluid was transmitted from the defendant to the alleged victim in connection with the commission of the offense, the court may order the defendant to submit to a screening test for one (1) or more ~~dangerous serious~~ diseases. ~~If the defendant is charged with battery (IC 35-42-2-1) or domestic battery (IC 35-42-2-1.3) involving placing bodily fluid or waste on another person, the court may limit testing under this subsection~~

~~to a test only for human immunodeficiency virus (HIV). However, the court may order additional testing for human immunodeficiency virus (HIV) as may be medically appropriate.~~ The court shall take actions to ensure the confidentiality of evidence introduced at the hearing.

(e) The testimonial privileges applying to communication between a husband and wife and between a health care provider and the health care provider's patient are not sufficient grounds for not testifying or providing other information at a hearing conducted in accordance with this section.

(f) A health care provider (as defined in IC 16-18-2-163) who discloses information that must be disclosed to comply with this section is immune from civil and criminal liability under Indiana statutes that protect patient privacy and confidentiality.

(g) The results of a screening test conducted under this section shall be kept confidential if the defendant ordered to submit to the screening test under this section has not been convicted of the potentially disease transmitting offense or offense involving the transmission of a bodily fluid with which the defendant is charged. The results may not be made available to any person or public or private agency other than the following:

- (1) The defendant and the defendant's counsel.
- (2) The prosecuting attorney.
- (3) The department of correction or the penal facility, juvenile detention facility, or secure private facility where the defendant is housed.
- (4) The alleged victim or the parent, guardian, or custodian of an alleged victim who is less than eighteen (18) years of age, or the parent, guardian, or custodian of an alleged victim who is an endangered adult (as defined in IC 12-10-3-2), and the alleged victim's counsel.

The results of a screening test conducted under this section may not be admitted against a defendant in a criminal proceeding or against a child in a juvenile delinquency proceeding.

(h) As soon as practicable after a screening test ordered under this section has been conducted, the alleged victim or the parent, guardian, or custodian of an alleged victim who is less than eighteen (18) years of age, or the parent, guardian, or custodian of an alleged victim who is an endangered adult (as defined in IC 12-10-3-2), and the victim's counsel shall be notified of the results of the test.

(i) An alleged victim may disclose the results of a screening test to which a defendant is ordered to submit under this section to an individual or organization to protect the health and safety of or to seek compensation for:

- (1) the alleged victim;
- (2) the alleged victim's sexual partner; or
- (3) the alleged victim's family.

(j) The court shall order a petition filed and any order entered under this section sealed.

(k) A person that knowingly or intentionally:

- (1) receives notification or disclosure of the results of a screening test under this section; and
- (2) discloses the results of the screening test in violation of this section;

commits a Class B misdemeanor.

SECTION 30. IC 16-41-14-17 IS REPEALED [EFFECTIVE JULY 1, 2020]. ~~Sec. 17: (a) This section does not apply to a person who transfers for research purposes semen that contains antibodies for the human immunodeficiency virus (HIV).~~

~~(b) A person who, for the purpose of artificial insemination, recklessly, knowingly, or intentionally donates, sells, or transfers semen that contains antibodies for the human immunodeficiency virus (HIV) commits transferring contaminated semen; a Level 5 felony. The offense is a Level 4 felony if the offense results in the transmission of the virus to another person."~~

Page 37, between lines 28 and 29, begin a new paragraph and insert:

"SECTION 22. IC 24-5-0.5-3, AS AMENDED BY P.L.211-2019, SECTION 33, AND AS AMENDED BY P.L.242-2019, SECTION 6, AND AS AMENDED BY THE TECHNICAL CORRECTIONS BILL OF THE 2020 GENERAL ASSEMBLY, IS CORRECTED AND AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 3. (a) A supplier may not commit an unfair, abusive, or deceptive act, omission, or practice in connection with a consumer transaction. Such an act, omission, or practice by a supplier is a violation of this chapter whether it occurs before, during, or after the transaction. An act, omission, or practice prohibited by this section includes both implicit and explicit misrepresentations.

(b) Without limiting the scope of subsection (a), the following acts, and the following representations as to the subject matter of a consumer transaction, made orally, in writing, or by electronic communication, by a supplier, are deceptive acts:

(1) That such subject of a consumer transaction has sponsorship, approval, performance, characteristics, accessories, uses, or benefits it does not have which the supplier knows or should reasonably know it does not have.

(2) That such subject of a consumer transaction is of a particular standard, quality, grade, style, or model, if it is not and if the supplier knows or should reasonably know that it is not.

(3) That such subject of a consumer transaction is new or unused, if it is not and if the supplier knows or should reasonably know that it is not.

(4) That such subject of a consumer transaction will be supplied to the public in greater quantity than the supplier intends or reasonably expects.

(5) That replacement or repair constituting the subject of a consumer transaction is needed, if it is not and if the supplier knows or should reasonably know that it is not.

(6) That a specific price advantage exists as to such subject of a consumer transaction, if it does not and if the supplier knows or should reasonably know that it does not.

(7) That the supplier has a sponsorship, approval, or affiliation in such consumer transaction the supplier does not have, and which the supplier knows or should reasonably know that the supplier does not have.

(8) That such consumer transaction involves or does not involve a warranty, a disclaimer of warranties, or other rights, remedies, or obligations, if the representation is false and if the supplier knows or should reasonably know that the representation is false.

(9) That the consumer will receive a rebate, discount, or other benefit as an inducement for entering into a sale or lease in return for giving the supplier the names of prospective consumers or otherwise helping the supplier to enter into other consumer transactions, if earning the benefit, rebate, or discount is contingent upon the occurrence of an event subsequent to the time the consumer agrees to the purchase or lease.

(10) That the supplier is able to deliver or complete the subject of the consumer transaction within a stated period of time, when the supplier knows or should reasonably know the supplier could not. If no time period has been stated by the supplier, there is a presumption that the supplier has represented that the supplier will deliver or complete the subject of the consumer transaction within a reasonable time, according to the course of dealing or the usage of the trade.

(11) That the consumer will be able to purchase the subject of the consumer transaction as advertised by the supplier, if the supplier does not intend to sell it.

(12) That the replacement or repair constituting the subject of a consumer transaction can be made by the supplier for the estimate the supplier gives a customer for the

replacement or repair, if the specified work is completed and:

(A) the cost exceeds the estimate by an amount equal to or greater than ten percent (10%) of the estimate;

(B) the supplier did not obtain written permission from the customer to authorize the supplier to complete the work even if the cost would exceed the amounts specified in clause (A);

(C) the total cost for services and parts for a single transaction is more than seven hundred fifty dollars (\$750); and

(D) the supplier knew or reasonably should have known that the cost would exceed the estimate in the amounts specified in clause (A).

(13) That the replacement or repair constituting the subject of a consumer transaction is needed, and that the supplier disposes of the part repaired or replaced earlier than seventy-two (72) hours after both:

(A) the customer has been notified that the work has been completed; and

(B) the part repaired or replaced has been made available for examination upon the request of the customer.

(14) Engaging in the replacement or repair of the subject of a consumer transaction if the consumer has not authorized the replacement or repair, and if the supplier knows or should reasonably know that it is not authorized.

(15) The act of misrepresenting the geographic location of the supplier by listing an alternate business name or an assumed business name (as described in IC 23-0.5-3-4) in a local telephone directory if:

(A) the name misrepresents the supplier's geographic location;

(B) the listing fails to identify the locality and state of the supplier's business;

(C) calls to the local telephone number are routinely forwarded or otherwise transferred to a supplier's business location that is outside the calling area covered by the local telephone directory; and

(D) the supplier's business location is located in a county that is not contiguous to a county in the calling area covered by the local telephone directory.

(16) The act of listing an alternate business name or assumed business name (as described in IC 23-0.5-3-4) in a directory assistance data base if:

(A) the name misrepresents the supplier's geographic location;

(B) calls to the local telephone number are routinely forwarded or otherwise transferred to a supplier's business location that is outside the local calling area; and

(C) the supplier's business location is located in a county that is not contiguous to a county in the local calling area.

(17) The violation by a supplier of IC 24-3-4 concerning cigarettes for import or export.

(18) The act of a supplier in knowingly selling or reselling a product to a consumer if the product has been recalled, whether by the order of a court or a regulatory body, or voluntarily by the manufacturer, distributor, or retailer, unless the product has been repaired or modified to correct the defect that was the subject of the recall.

(19) The violation by a supplier of 47 U.S.C. 227, including any rules or regulations issued under 47 U.S.C. 227.

(20) The violation by a supplier of the federal Fair Debt Collection Practices Act (15 U.S.C. 1692 et seq.), including any rules or regulations issued under the federal Fair Debt Collection Practices Act (15 U.S.C. 1692 et seq.).

(21) A violation of IC 24-5-7 (concerning health spa services), as set forth in IC 24-5-7-17.

(22) A violation of IC 24-5-8 (concerning business opportunity transactions), as set forth in IC 24-5-8-20.

(23) A violation of IC 24-5-10 (concerning home consumer transactions), as set forth in IC 24-5-10-18.

(24) A violation of IC 24-5-11 (concerning real property improvement contracts), as set forth in IC 24-5-11-14.

(25) A violation of IC 24-5-12 (concerning telephone solicitations), as set forth in IC 24-5-12-23.

(26) A violation of IC 24-5-13.5 (concerning buyback motor vehicles), as set forth in IC 24-5-13.5-14.

(27) A violation of IC 24-5-14 (concerning automatic dialing-announcing devices), as set forth in IC 24-5-14-13.

(28) A violation of IC 24-5-15 (concerning credit services organizations), as set forth in IC 24-5-15-11.

(29) A violation of IC 24-5-16 (concerning unlawful motor vehicle subleasing), as set forth in IC 24-5-16-18.

(30) A violation of IC 24-5-17 (concerning environmental marketing claims), as set forth in IC 24-5-17-14.

(31) A violation of IC 24-5-19 (concerning deceptive commercial solicitation), as set forth in IC 24-5-19-11.

(32) A violation of IC 24-5-21 (concerning prescription drug discount cards), as set forth in IC 24-5-21-7.

(33) A violation of IC 24-5-23.5-7 (concerning real estate appraisals), as set forth in IC 24-5-23.5-9.

(34) A violation of IC 24-5-26 (concerning identity theft), as set forth in IC 24-5-26-3.

(35) A violation of IC 24-5.5 (concerning mortgage rescue fraud), as set forth in IC 24-5.5-6-1.

(36) A violation of IC 24-8 (concerning promotional gifts and contests), as set forth in IC 24-8-6-3.

(37) A violation of IC 21-18.5-6 (concerning representations made by a postsecondary credit bearing proprietary educational institution), as set forth in IC 21-18.5-6-22.5.

(38) A violation of IC 24-5-15.5 (concerning collection actions of a plaintiff debt buyer), as set forth in IC 24-5-15.5-6.

~~(39)~~ (39) A violation of IC 24-14 (concerning towing services), as set forth in IC 24-14-10-1.

~~(40)~~ (40) A violation of IC 24-5-14.5 (concerning misleading or inaccurate caller identification information), as set forth in IC 24-5-14.5-12.

(41) A violation of IC 24-5-27-5 or IC 24-5-27-6 (concerning gift certificates and store gift cards), as set forth in IC 24-5-27-7.

(c) Any representations on or within a product or its packaging or in advertising or promotional materials which would constitute a deceptive act shall be the deceptive act both of the supplier who places such representation thereon or therein, or who authored such materials, and such other suppliers who shall state orally or in writing that such representation is true if such other supplier shall know or have reason to know that such representation was false.

(d) If a supplier shows by a preponderance of the evidence that an act resulted from a bona fide error notwithstanding the maintenance of procedures reasonably adopted to avoid the error, such act shall not be deceptive within the meaning of this chapter.

(e) It shall be a defense to any action brought under this chapter that the representation constituting an alleged deceptive act was one made in good faith by the supplier without knowledge of its falsity and in reliance upon the oral or written representations of the manufacturer, the person from whom the supplier acquired the product, any testing organization, or any other person provided that the source thereof is disclosed to the consumer.

(f) For purposes of subsection (b)(12), a supplier that provides estimates before performing repair or replacement

work for a customer shall give the customer a written estimate itemizing as closely as possible the price for labor and parts necessary for the specific job before commencing the work.

(g) For purposes of subsection (b)(15) and (b)(16), a telephone company or other provider of a telephone directory or directory assistance service or its officer or agent is immune from liability for publishing the listing of an alternate business name or assumed business name of a supplier in its directory or directory assistance data base unless the telephone company or other provider of a telephone directory or directory assistance service is the same person as the supplier who has committed the deceptive act.

(h) For purposes of subsection (b)(18), it is an affirmative defense to any action brought under this chapter that the product has been altered by a person other than the defendant to render the product completely incapable of serving its original purpose."

Page 37, between lines 35 and 36, begin a new paragraph and insert:

"SECTION 24. IC 24-5-27 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]:

Chapter 27. Gift Certificates and Store Gift Cards

Sec. 1. Subject to section 4 of this chapter, as used in this chapter, "gift certificate" means a certificate, a card, a code, or another device that:

(1) is issued to a consumer:

(A) on a prepaid basis in exchange for payment;
(B) primarily for personal, family, or household purposes; and

(C) in a specified amount that may not be increased or reloaded; and

(2) is redeemable upon presentation at a single merchant or at an affiliated group of merchants for goods or services.

Sec. 2. As used in this chapter, "Indiana consumer" means an individual whose principal residence is in Indiana.

Sec. 3. Subject to section 4 of this chapter, as used in this chapter, "store gift card" means a certificate, a card, a code, or another device that:

(1) is issued to a consumer:

(A) on a prepaid basis in exchange for payment;
(B) primarily for personal, family, or household purposes; and

(C) in a specified amount, regardless of whether that amount may be increased or reloaded; and

(2) is redeemable upon presentation at a single merchant or at an affiliated group of merchants for goods or services.

Sec. 4. For purposes of this chapter, the terms "gift certificate" and "store gift card" do not include any certificate, card, code, or other device that is:

(1) useable solely for communications service (as defined in IC 8-1-32.5-3);

(2) reloadable and not marketed or labeled as a gift card or gift certificate;

(3) a loyalty, award, or promotional gift card (as defined in 12 CFR 1005.20);

(4) not marketed to the general public; or

(5) redeemable solely:

(A) for admission to events or venues at a particular location or group of affiliated locations; or

(B) to obtain goods or services in conjunction with admission to the events or venues, either at the event or venue or at specific locations affiliated with and in geographic proximity to the event or venue.

Sec. 5. After June 30, 2020, a person shall not sell or issue to an Indiana consumer any gift certificate with an expiration date, or any store gift card with an expiration date, unless the following conditions are satisfied:

(1) The person has established policies and procedures

to provide consumers with a reasonable opportunity to purchase a gift certificate or a store gift card with at least five (5) years remaining until the expiration date of the gift certificate or store gift card.

(2) The expiration date for the underlying funds is at least the later of:

- (A) five (5) years after:
 - (i) the date the gift certificate was initially issued; or
 - (ii) the date on which funds were last loaded to the store gift card; or

(B) the expiration date, if any, of the gift certificate or store gift card.

(3) The following disclosures are provided on the gift certificate or store gift card, as applicable:

(A) The expiration date for the underlying funds or, if the underlying funds do not expire, a statement of that fact.

(B) A toll-free telephone number and, if maintained, an Internet web site address that a consumer may use to obtain:

- (i) a replacement gift certificate; or
- (ii) a replacement store gift card;

after the gift certificate or store gift card expires, if the underlying funds may be available to the consumer.

(C) Except in the case of a gift certificate or, if nonreloadable, a store gift card that bears an expiration date that is at least seven (7) years from the date of issuance, a statement that:

- (i) the gift certificate or store gift card expires, but that the underlying funds either do not expire or expire later than the gift certificate or store gift card; and
- (ii) the consumer may contact the issuer for a replacement gift certificate or store gift card.

The statement required by this clause must be disclosed with equal prominence and in close proximity to the expiration date of the gift certificate or store gift card.

For purposes of this subdivision, a disclosure made in an accompanying terms and conditions document, on packaging surrounding a gift certificate or store gift card, or on a sticker or other label affixed to the gift certificate or store gift card do not constitute disclosure on the gift certificate or store gift card. For an electronic gift certificate or store gift card, disclosures must be provided electronically on the gift certificate or store gift card provided to the consumer. An issuer that provides a code or confirmation to a consumer orally must provide to the consumer a written or an electronic copy of the code or confirmation promptly, and the applicable disclosures required by this subdivision must be provided on the written or electronic copy of the code or confirmation.

(4) A fee or charge is not imposed on the consumer for:

- (A) replacing the gift certificate or store gift card; or
- (B) providing the consumer with the remaining balance in some other manner before the expiration date of the underlying funds;

unless the gift certificate or store gift card has been lost or stolen.

Sec. 6. (a) This section applies to a gift certificate or a store gift card that is sold or issued to an Indiana consumer after June 30, 2020.

(b) As used in this section, "merchant" refers to:

- (1) the merchant;
- (2) the group of affiliated merchants; or
- (3) the successors or assigns of the merchant or the group of affiliated merchants;

as applicable, for which a gift certificate or a store gift card was originally sold or issued to an Indiana consumer.

(c) If at any time after a gift certificate or a store gift card is issued or sold to an Indiana consumer:

(1) the merchant for which the gift certificate or store gift card was originally sold or issued:

- (A) for any reason ceases to do business in Indiana; or
- (B) for any reason:
 - (i) substantially changes; or
 - (ii) ceases to offer;

the types of goods or services that were offered to consumers at the time the gift certificate or store gift card was originally sold or issued; and

(2) any expiration date:

- (A) authorized under section 5 of this chapter; and
- (B) applicable to the gift certificate or store gift card, or to the underlying funds associated with the gift certificate or store gift card;

has not elapsed;

the merchant for which the gift certificate or store gift card was originally sold or issued shall, upon the request of an Indiana consumer who is the rightful holder of the gift certificate or store gift card, promptly (but in no case later than the expiration date, if any, of the underlying funds) refund to the holder the balance of the underlying funds or provide the holder with the remaining balance in some other manner, as disclosed at the time of sale or issuance to the Indiana consumer to whom the gift certificate or store gift card was originally sold or issued.

Sec. 7. (a) A person that violates section 5 or 6 of this chapter:

- (1) commits a deceptive act that is actionable by an aggrieved Indiana consumer and the attorney general under IC 24-5-0.5-4; and
- (2) is subject to the penalties and remedies set forth in IC 24-5-0.5.

An action by the attorney general for violations of this chapter may be brought in the circuit or superior court of Marion County.

(b) The remedies and penalties set forth in this section are cumulative and are supplemental to any other remedies and penalties available under any other state or federal law, rule, or regulation for a violation of section 5 or 6 of this chapter.

Sec. 8. This chapter does not void or affect the terms and conditions of:

- (1) a gift certificate; or
- (2) a store gift card;

that is sold or issued to an Indiana consumer before July 1, 2020.

Sec. 9. The attorney general may adopt rules under IC 4-22-2 to implement this chapter, including emergency rules in the manner provided by IC 4-22-2-37.1. Notwithstanding IC 4-22-2-37.1(g), an emergency rule adopted by the attorney general under this subsection and in the manner provided by IC 4-22-2-37.1 expires on the date on which a rule that supersedes the emergency rule is adopted by the attorney general under IC 4-22-2-24 through IC 4-22-2-36."

Page 55, line 11, after "IC 35-42-2-9;" insert "or".

Page 64, between lines 23 and 24, begin a new paragraph and insert:

"SECTION 44. IC 31-37-13-5, AS AMENDED BY P.L.168-2014, SECTION 45, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 5. (a) If a finding of delinquency is based on a delinquent act that would be a felony if committed by an adult, the juvenile court shall state in the findings the following:

- (1) The specific statute that was violated.
- (2) The class or level of the felony had the violation been

committed by an adult.

(b) If a finding of delinquency is based on a delinquent act that would be a serious violent felony (as defined in IC 35-47-4-5) if committed by an adult, the juvenile court shall, notwithstanding IC 31-39-1, transmit the finding to the office of judicial administration for transmission to NICS (as defined in IC 35-47-2.5-2.5) in accordance with IC 33-24-6-3."

Page 67, between lines 8 and 9, begin a new paragraph and insert:

"SECTION 47. IC 31-39-8-3, AS AMENDED BY P.L.86-2017, SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 3. (a) A person may initiate a petition for the expungement of records of a child alleged to be a delinquent child or a child in need of services by filing a verified petition in the juvenile court in the county of the original action. The petition must set forth the following:

- (1) The allegations and date of adjudication, if applicable, of the juvenile delinquency or child in need of services adjudications.
- (2) The court in which juvenile delinquency or child in need of services allegations or petitions were filed.
- (3) The law enforcement agency that employs the charging officer, if known.
- (4) The case number or court cause number.
- (5) Date of birth of the petitioner.
- (6) Petitioner's Social Security number.
- (7) All juvenile delinquency or child in need of services adjudications and criminal convictions occurring after the adjudication of the action sought to be expunged.
- (8) All pending actions under IC 31-34 or IC 31-37 or criminal charges.

(b) A petition described in subsection (a) shall be served on:

- (1) the prosecuting attorney; or
- (2) in the case of a child in need of services case, the department of child services.

(c) The prosecuting attorney or department of child services has thirty (30) days in which to reply or otherwise object to the petition. The court may reduce the time in which a response must be filed for a show of good cause or within its discretion after a hearing is held.

(d) If the prosecuting attorney or department of child services timely files an objection to the petition, the matter shall be set for a hearing. If no objection is filed, the court may set the petition for a hearing or rule on the petition without a hearing.

(e) In considering whether to grant the petition, the juvenile court may review:

- (1) the best interests of the child;
- (2) the age of the person during the person's contact with the juvenile court or law enforcement agency;
- (3) the nature of any allegations;
- (4) whether there was an informal adjustment or an adjudication;
- (5) the disposition of the case;
- (6) the manner in which the person participated in any court ordered or supervised services;
- (7) the time during which the person has been without contact with the juvenile court or with any law enforcement agency;
- (8) whether the person acquired a criminal record; and
- (9) the person's current status;

(10) whether the person has been:

- (A) charged with; or**
- (B) convicted of;**

murder or another felony offense as an adult;

(11) whether the person was waived to an adult criminal court for a reason described in IC 31-30-3;

(12) whether an adult sentence for the person was not suspended for a reason described in IC 35-50-2-2.1;

(13) whether the person has been adjudicated a

delinquent child for committing an act that would be a serious violent felony (as defined in IC 35-47-4-5) if committed by an adult; and

(14) whether:

- (A) the person is currently suffering from a mental health issue;**
- (B) the mental health issue described in clause (A) is chronic or ongoing;**
- (C) the person has received, or is receiving, treatment for a current or chronic mental health issue; and**
- (D) the person is compliant with a treatment regimen recommended by a mental health professional, if applicable."**

Page 68, between lines 38 and 39, begin a new paragraph and insert:

"SECTION 51. IC 33-24-6-3, AS AMENDED BY P.L.207-2019, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 3. (a) The office of judicial administration shall do the following:

- (1) Examine the administrative and business methods and systems employed in the offices of the clerks of court and other offices related to and serving the courts and make recommendations for necessary improvement.
- (2) Collect and compile statistical data and other information on the judicial work of the courts in Indiana. All justices of the supreme court, judges of the court of appeals, judges of all trial courts, and any city or town courts, whether having general or special jurisdiction, court clerks, court reporters, and other officers and employees of the courts shall, upon notice by the chief administrative officer and in compliance with procedures prescribed by the chief administrative officer, furnish the chief administrative officer the information as is requested concerning the nature and volume of judicial business. The information must include the following:
 - (A) The volume, condition, and type of business conducted by the courts.
 - (B) The methods of procedure in the courts.
 - (C) The work accomplished by the courts.
 - (D) The receipt and expenditure of public money by and for the operation of the courts.
 - (E) The methods of disposition or termination of cases.

(3) Prepare and publish reports, not less than one (1) or more than two (2) times per year, on the nature and volume of judicial work performed by the courts as determined by the information required in subdivision (2).

(4) Serve the judicial nominating commission and the judicial qualifications commission in the performance by the commissions of their statutory and constitutional functions.

(5) Administer the civil legal aid fund as required by IC 33-24-12.

(6) Administer the court technology fund established by section 12 of this chapter.

(7) By December 31, 2013, develop and implement a standard protocol for sending and receiving court data:

- (A) the protective order registry, established by IC 5-2-9-5.5, and county court case management systems;**
- (B) at the option of the county prosecuting attorney, for:**

- (i) a prosecuting attorney's case management system;**
- (ii) a county court case management system; and**
- (iii) a county court case management system developed and operated by the office of judicial administration;**

to interface with the electronic traffic tickets, as defined by IC 9-30-3-2.5; and

(C) between county court case management systems

and the case management system developed and operated by the office of judicial administration.

The standard protocol developed and implemented under this subdivision shall permit private sector vendors, including vendors providing service to a local system and vendors accessing the system for information, to send and receive court information on an equitable basis and at an equitable cost.

(8) Establish and administer an electronic system for receiving information that relates to certain individuals who may be prohibited from possessing a firearm ~~and~~ **for the purpose of:**

(A) Transmitting this information to the Federal Bureau of Investigation for inclusion in the NICS; **and**

(B) beginning July 1, 2021, compiling and publishing certain statistics related to the confiscation and retention of firearms as described under section 14 of this chapter.

(9) Establish and administer an electronic system for receiving drug related felony conviction information from courts. The office of judicial administration shall notify NPLeX of each drug related felony entered after June 30, 2012, and do the following:

(A) Provide NPLeX with the following information:

- (i) The convicted individual's full name.
- (ii) The convicted individual's date of birth.
- (iii) The convicted individual's driver's license number, state personal identification number, or other unique number, if available.
- (iv) The date the individual was convicted of the felony.

Upon receipt of the information from the office of judicial administration, a stop sale alert must be generated through NPLeX for each individual reported under this clause.

(B) Notify NPLeX if the felony of an individual reported under clause (A) has been:

- (i) set aside;
- (ii) reversed;
- (iii) expunged; or
- (iv) vacated.

Upon receipt of information under this clause, NPLeX shall remove the stop sale alert issued under clause (A) for the individual.

(10) Staff the judicial technology oversight committee established by IC 33-23-17-2.

(11) After July 1, 2018, establish and administer an electronic system for receiving from courts felony conviction information for each felony described in IC 20-28-5-8(c). The office of judicial administration shall notify the department of education at least one (1) time each week of each felony described in IC 20-28-5-8(c) entered after July 1, 2018, and do the following:

(A) Provide the department of education with the following information:

- (i) The convicted individual's full name.
- (ii) The convicted individual's date of birth.
- (iii) The convicted individual's driver's license number, state personal identification number, or other unique number, if available.
- (iv) The date the individual was convicted of the felony.

(B) Notify the department of education if the felony of an individual reported under clause (A) has been:

- (i) set aside;
- (ii) reversed; or
- (iii) vacated.

(12) Perform legal and administrative duties for the justices as determined by the justices.

(13) Provide staff support for the judicial conference of

Indiana established in IC 33-38-9.

(14) Work with the United States Department of Veterans Affairs to identify and address the needs of veterans in the court system.

(b) All forms to be used in gathering data must be approved by the supreme court and shall be distributed to all judges and clerks before the start of each period for which reports are required.

(c) The office of judicial administration may adopt rules to implement this section.

SECTION 53. IC 33-24-6-14 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 14. (a) The following definitions apply throughout this section:

(1) "Dangerous" has the meaning set forth in IC 35-47-14-1.

(2) "Firearm" has the meaning set forth in IC 35-47-1-5.

(3) "Office" means the office of judicial administration created by section 1 of this chapter.

(b) Beginning July 1, 2021, the office shall collect and record the following information:

(1) The law enforcement agency responsible for each confiscation of a firearm under IC 35-47-14-2 and IC 35-47-14-3.

(2) The number of:

(A) warrant based firearm confiscations under IC 35-47-14-2; and

(B) warrantless firearm confiscations under IC 35-47-14-3;

for each county, as applicable, each year.

(3) The total number of:

(A) handguns; and

(B) long guns;

confiscated under IC 35-47-14 for each county, as applicable, each year.

(4) The county in which a court issues an order that finds or does not find an individual to be dangerous under IC 35-47-14-6.

(c) The office shall, beginning July 1, 2021, not later than January 1 of each year, submit a report to the legislative council in an electronic format under IC 5-14-6 that consolidates and presents the information described in subsection (b).

(d) Notwithstanding subsections (b) and (c) and information provided to a law enforcement agency for the purposes of handgun licenses, the office shall not collect, store, disclose, distribute, transfer, or provide the following information to any person, entity, agency, or department:

(1) The:

(A) name;

(B) date of birth;

(C) Social Security number;

(D) address; or

(E) other unique identifier;

belonging to or associated with an individual alleged to be dangerous by a law enforcement officer or found to be dangerous by a circuit or superior court.

(2) The make, model, or serial number of any handgun, long gun, or firearm seized, confiscated, retained, disposed of, or sold under IC 35-47-14.

(e) Information:

(1) collected by the office; or

(2) used by the office;

to prepare the report described in subsection (c) is confidential and not subject to public inspection or copying under IC 5-14-3-3.

(f) The office shall make the report described in subsection (c) available to the public.

(g) The office may adopt rules under IC 4-22-2 to implement this section."

Page 73, between lines 36 and 37, begin a new paragraph and insert:

"SECTION 52. IC 34-30-2-149.5, AS AMENDED BY P.L.86-2018, SECTION 320, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 149.5. (a) IC 35-38-1-10.5 (Concerning a person who makes a report or testifies in court regarding the results of a test for the human immunodeficiency virus (HIV) or another ~~dangerous serious~~ disease performed on an individual convicted of certain crimes).

(b) IC 35-38-1-28(d) (Concerning a clerk, court, law enforcement officer, or prosecuting attorney for an error or omission in the transportation of fingerprints, case history data, or sentencing data)."

Page 74, between lines 20 and 21, begin a new paragraph and insert:

"SECTION 51. IC 35-31.5-2-132.7 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 132.7. "Financial transaction", for purposes of IC 35-45-17, has the meaning set forth in IC 35-45-17-0.5.**

SECTION 52. IC 35-31.5-2-257.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 257.5. "Public monument", for purposes of IC 35-45-17, has the meaning set forth in IC 35-45-17-1.5.**

SECTION 56. IC 35-31.5-2-294, AS ADDED BY P.L.114-2012, SECTION 67, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 294. "Serious violent felony", for purposes of IC 35-47-4-5 ~~and IC 35-47-4-9~~, has the meaning set forth in ~~IC 35-47-4-5(b)~~: **IC 35-47-4-5**".

Page 82, between lines 30 and 31, begin a new paragraph and insert:

"SECTION 57. IC 35-38-1-9.5, AS AMENDED BY P.L.125-2007, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 9.5. A probation officer shall obtain confidential information from the state department of health under IC 16-41-8-1 to determine whether a convicted person was ~~a carrier of an individual with~~ the human immunodeficiency virus (HIV) when the crime was committed if the person is:

(1) convicted of an offense relating to a criminal sexual act and the offense created an epidemiologically demonstrated risk of transmission of the human immunodeficiency virus (HIV); or

(2) convicted of an offense relating to controlled substances and the offense involved:

(A) the delivery by any person to another person; or

(B) the use by any person on another person;

of a contaminated sharp (as defined in IC 16-41-16-2) or other paraphernalia that creates an epidemiologically demonstrated risk of transmission of HIV by involving percutaneous contact.

SECTION 58. IC 35-38-1-10.5, AS AMENDED BY P.L.86-2018, SECTION 333, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 10.5. (a) The court:

(1) shall order that a person undergo a screening test for the human immunodeficiency virus (HIV) if the person is:

(A) convicted of an offense relating to a criminal sexual act and the offense created an epidemiologically demonstrated risk of transmission of the human immunodeficiency virus (HIV); or

(B) convicted of an offense relating to controlled substances and the offense involved:

(i) the delivery by any person to another person; or

(ii) the use by any person on another person;

of a contaminated sharp (as defined in IC 16-41-16-2) or other paraphernalia that creates an epidemiologically demonstrated risk of transmission of HIV by involving percutaneous contact; and

(2) may order that a person undergo a screening test for a ~~dangerous serious~~ disease (as defined in IC 16-41-8-5) in accordance with IC 16-41-8-5.

(b) If the screening test required by this section indicates the presence of antibodies to HIV, the court shall order the person to undergo a confirmatory test.

(c) If the confirmatory test confirms the presence of the HIV antibodies, the court shall report the results to the state department of health and require a probation officer to conduct a presentence investigation to:

(1) obtain the medical record of the convicted person from the state department of health under IC 16-41-8-1(b)(3); and

(2) determine whether the convicted person had received risk counseling that included information on the behavior that facilitates the transmission of HIV.

(d) A person who, in good faith:

(1) makes a report required to be made under this section; or

(2) testifies in a judicial proceeding on matters arising from the report;

is immune from both civil and criminal liability due to the offering of that report or testimony.

(e) The privileged communication between a husband and wife or between a health care provider and the health care provider's patient is not a ground for excluding information required under this section.

(f) A mental health service provider (as defined in IC 34-6-2-80) who discloses information that must be disclosed to comply with this section is immune from civil and criminal liability under Indiana statutes that protect patient privacy and confidentiality."

Page 83, delete lines 4 through 27.

Page 92, between lines 20 and 21, begin a new paragraph and insert:

"SECTION 69. IC 35-44.1-2-3, AS AMENDED BY P.L.107-2016, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 3. (a) As used in this section, "consumer product" has the meaning set forth in IC 35-45-8-1.

(b) As used in this section, "misconduct" means a violation of a departmental rule or procedure of a law enforcement agency.

(c) A person who reports, by telephone, telegraph, mail, or other written or oral communication, that:

(1) the person or another person has placed or intends to place an explosive, a destructive device, or other destructive substance in a building or transportation facility;

(2) there has been or there will be tampering with a consumer product introduced into commerce; or

(3) there has been or will be placed or introduced a weapon of mass destruction in a building or a place of assembly;

knowing the report to be false, commits false reporting, a Level 6 felony.

(d) A person who:

(1) gives a false report of the commission of a crime or gives false information in the official investigation of the commission of a crime, knowing the report or information to be false;

(2) gives a false alarm of fire to the fire department of a governmental entity, knowing the alarm to be false;

(3) makes a false request for ambulance service to an ambulance service provider, knowing the request to be false;

(4) gives a false report concerning a missing child (as defined in IC 10-13-5-4) or missing endangered adult (as defined in IC 12-7-2-131.3) or gives false information in the official investigation of a missing child or missing

endangered adult knowing the report or information to be false;

(5) makes a complaint against a law enforcement officer to the state or municipality (as defined in IC 8-1-13-3(b)) that employs the officer:

(A) alleging the officer engaged in misconduct while performing the officer's duties; and

(B) knowing the complaint to be false;

(6) makes a false report of a missing person, knowing the report or information is false; ~~or~~

(7) gives a false report of actions, behavior, or conditions concerning:

(A) a septic tank soil absorption system under IC 8-1-2-125 or IC 13-26-5-2.5; or

(B) a septic tank soil absorption system or constructed wetland septic system under IC 36-9-23-30.1;

knowing the report or information to be false; ~~or~~

(8) makes a false report that a person is dangerous (as defined in IC 35-47-14-1) knowing the report or information to be false;

commits false informing, a Class B misdemeanor. However, the offense is a Class A misdemeanor if it substantially hinders any law enforcement process or if it results in harm to another person."

Page 97, between lines 14 and 15, begin a new paragraph and insert:

"SECTION 71. IC 35-45-16-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 1. ~~(a)~~ As used in this chapter, "HIV" refers to the human immunodeficiency virus.

~~(b) The term includes acquired immune deficiency syndrome (AIDS) and AIDS related complex.~~

SECTION 68. IC 35-45-17-0.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 0.5. As used in this chapter, "financial transaction" means any exchange of currency by cash, note, or credit card or through a wireless portal that is received by:**

(1) a business;

(2) a parking meter or parking pay station on a street or another public place;

(3) a public parking garage or parking lot pay station;

(4) a facility or pay station operated by a public transportation authority; or

(5) a restaurant or the service area of an outdoor seating establishment.

SECTION 69. IC 35-45-17-1.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 1.5. As used in this chapter, "public monument" means a building, structure, or site that is of historical importance or interest that is preserved as public property.**

SECTION 70. IC 35-45-17-2, AS ADDED BY P.L.140-2005, SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 2. A person who knowingly or intentionally does any of the following commits panhandling, a Class C misdemeanor:

(1) Panhandling after sunset and before sunrise.

(2) Panhandling when the individual being solicited is:

(A) at a bus stop;

(B) in a:

(i) vehicle; or

(ii) facility;

used for public transportation;

(C) in a motor vehicle that is parked or stopped on a public street or alley, unless the person soliciting the individual has the approval to do so by a unit of local government that has jurisdiction over the public street or alley;

(D) in the sidewalk dining area of a restaurant; ~~or~~

(E) within ~~twenty (20)~~ **fifty (50)** feet of:

(i) an automated teller machine; ~~or~~

(ii) the entrance **or exit** to a bank, **business, or restaurant;** ~~or~~

(iii) the location where a financial transaction occurs; or

(F) within fifty (50) feet of a public monument.

(3) Panhandling while touching the individual being solicited without the solicited individual's consent.

(4) Panhandling while the individual being solicited is standing in line and waiting to be admitted to a commercial establishment.

(5) Panhandling while blocking:

(A) the path of the individual being solicited; or

(B) the entrance to a building or motor vehicle.

(6) Panhandling while using profane or abusive language:

(A) during a solicitation; or

(B) after the individual being solicited has declined to donate money or something else of value.

(7) Panhandling while making a statement, a gesture, or another communication to the individual being solicited that would cause a reasonable individual to:

(A) fear for the individual's safety; or

(B) feel compelled to donate.

(8) Panhandling with at least one (1) other individual.

(9) Panhandling and then following or accompanying the solicited individual without the solicited individual's consent after the solicited individual has declined to donate money or something else of value.

SECTION 72. IC 35-45-21-1, AS ADDED BY P.L.213-2013, SECTION 18, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 1. (a) As used in this section, "blood" has the meaning set forth in IC 16-41-12-2.5.

(b) A person who recklessly, knowingly, or intentionally donates, sells, or transfers blood or semen for artificial insemination (as defined in IC 16-41-14-2) that contains the human immunodeficiency virus (HIV) commits transferring contaminated body fluids, a Level 5 felony.

(c) However, the offense under subsection (b) is a ~~Level 3~~ **Level 4** felony if it results in the transmission of the human immunodeficiency virus (HIV) to any person other than the defendant.

(d) This section does not apply to:

(1) a person who, for reasons of privacy, donates, sells, or transfers blood at a blood center (as defined in IC 16-41-12-3) after the person has notified the blood center that the blood must be disposed of and may not be used for any purpose;

(2) a person who transfers blood semen, or another body fluid that contains the human immunodeficiency virus (HIV) for research purposes; or

(3) a person who is an autologous blood donor for stem cell transplantation."

Page 97, line 19, strike "serial".

Page 99, between lines 37 and 38, begin a new paragraph and insert:

"SECTION 74. IC 35-47-4-9 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 9. (a) As used in this section, "serious violent felony" has the meaning set forth in section 5 of this chapter.**

(b) A person who:

(1) has been adjudicated a delinquent child for committing an act while armed with a firearm that would be a serious violent felony if committed by an adult;

(2) is less than:

(A) twenty-six (26) years of age, if the delinquent act, if committed by an adult, would have been a:

- (i) Level 6 felony;
 - (ii) Level 5 felony;
 - (iii) Level 4 felony; or
 - (iv) Level 3 felony; or
- (B) twenty-eight (28) years of age, if the delinquent act, if committed by an adult, would have been:

- (i) a Level 2 felony;
- (ii) a Level 1 felony; or
- (iii) murder; and

(3) knowingly or intentionally possesses a firearm; commits unlawful possession of a firearm by a dangerous person, a Level 6 felony. However, the offense is a Level 5 felony if the person has a prior unrelated conviction under this section.

SECTION 75. IC 35-47-14-2, AS AMENDED BY P.L.289-2019, SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 2. (a) A circuit or superior court may issue a warrant to search for and seize a firearm in the possession of an individual who is dangerous if:

(1) a law enforcement officer provides the court a sworn affidavit that:

(A) states why the law enforcement officer believes that the individual is dangerous and in possession of a firearm; and

(B) describes the law enforcement officer's interactions and conversations with:

- (i) the individual who is alleged to be dangerous; or
- (ii) another individual, if the law enforcement officer believes that information obtained from this individual is credible and reliable;

that have led the law enforcement officer to believe that the individual is dangerous and in possession of a firearm;

(2) the affidavit specifically describes the location of the firearm; and

(3) the circuit or superior court determines that probable cause exists to believe that the individual is:

- (A) dangerous; and
- (B) in possession of a firearm.

(b) A law enforcement agency responsible for the seizure of the firearm under this section shall file a search warrant return with the court setting forth the:

- (1) quantity; and
- (2) type;

of each firearm seized from an individual under this section. **Beginning July 1, 2021, the court shall provide information described under this subsection to the office of judicial administration in a manner required by the office.**

SECTION 76. IC 35-47-14-3, AS AMENDED BY P.L.289-2019, SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 3. (a) If a law enforcement officer seizes a firearm from an individual whom the law enforcement officer believes to be dangerous without obtaining a warrant, the law enforcement officer shall submit to the circuit or superior court having jurisdiction over the individual believed to be dangerous an affidavit describing the basis for the law enforcement officer's belief that the individual is dangerous.

(b) An affidavit described in subsection (a) shall:

- (1) set forth the quantity and type of each firearm seized from the individual under this section; and
- (2) be submitted to a circuit or superior court having jurisdiction over the individual believed to be dangerous not later than forty-eight (48) hours after the seizure of the firearm.

(c) The court shall review the affidavit described in subsection (a) as soon as possible.

(d) If the court finds that probable cause exists to believe that the individual is dangerous, the court shall order the law enforcement agency having custody of the firearm to retain the

firearm. **Beginning July 1, 2021, the court shall provide information described under this subsection and subsection (b)(1) to the office of judicial administration in a manner required by the office.**

(e) A law enforcement agency responsible for the seizure of the firearm under this section shall file a search warrant return with the court setting forth the:

- (1) quantity; and
- (2) type;

of each firearm seized from an individual under this section.

(f) (e) If the court finds that there is no probable cause to believe that the individual is dangerous, the court shall order the law enforcement agency having custody of the firearm to return the firearm to the individual as quickly as practicable, but not later than five (5) days after the date of the order.

SECTION 77. IC 35-47-14-6, AS AMENDED BY P.L.289-2019, SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 6. (a) The court shall conduct a hearing as required under this chapter.

(b) The state has the burden of proving all material facts by clear and convincing evidence.

(c) If the court determines that the state has proved by clear and convincing evidence that the individual is dangerous, the court shall issue a written order:

- (1) finding the individual is dangerous (as defined in section 1 of this chapter);
- (2) ordering the law enforcement agency having custody of the seized firearm to retain the firearm;
- (3) ordering the individual's license to carry a handgun, if applicable, suspended; and
- (4) enjoining the individual from:
 - (A) renting;
 - (B) receiving transfer of;
 - (C) owning; or
 - (D) possessing;

a firearm; and determine whether the individual should be referred to further proceedings to consider whether the individual should be involuntarily detained or committed under IC 12-26-6-2(a)(2)(B).

(d) If the court finds that the individual is dangerous under subsection (c), the clerk shall transmit the order of the court to the office of judicial administration:

- (1) for transmission to NICS (as defined in IC 35-47-2.5-2.5); and
- (2) beginning July 1, 2021, for the collection of certain data related to the confiscation and retention of firearms taken from dangerous individuals;

in accordance with IC 33-24-6-3.

(e) If the court orders a law enforcement agency to retain a firearm, the law enforcement agency shall retain the firearm until the court orders the firearm returned or otherwise disposed of.

(f) If the court determines that the state has failed to prove by clear and convincing evidence that the individual is dangerous, the court shall issue a written order that:

- (1) the individual is not dangerous (as defined in section 1 of this chapter); and
- (2) the law enforcement agency having custody of the firearm shall return the firearm as quickly as practicable, but not later than five (5) days after the date of the order, to the individual from whom it was seized.

SECTION 78. IC 35-47-14-8, AS AMENDED BY P.L.289-2019, SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 8. (a) At least one hundred eighty (180) days after the date on which a court orders a law enforcement agency to retain an individual's firearm under section 6(c) of this chapter, the individual may petition the court for a finding that the individual is no longer dangerous.

(b) Upon receipt of a petition described in subsection (a), the court shall:

- (1) enter an order setting a date for a hearing on the petition; and
- (2) inform the prosecuting attorney of the date, time, and location of the hearing.

(c) The prosecuting attorney shall represent the state at the hearing on a petition under this section.

(d) In a hearing on a petition under this section, the individual may be represented by an attorney.

(e) In a hearing on a petition under this section filed:

- (1) not later than one (1) year after the date of the order issued under section 6(c) of this chapter, the individual must prove by a preponderance of the evidence that the individual is no longer dangerous; and
- (2) later than one (1) year after the date of the order issued under section 6(c) of this chapter, the state must prove by clear and convincing evidence that the individual is still dangerous.

(f) If, upon the completion of the hearing and consideration of the record, the court finds that the individual is no longer dangerous, the court shall:

- (1) issue a court order that finds that the individual is no longer dangerous;
- (2) order the law enforcement agency having custody of any firearm to return the firearm as quickly as practicable, but not later than five (5) days after the date of the order, to the individual;
- (3) terminate any injunction issued under section 6 of this chapter; and
- (4) terminate the suspension of the individual's license to carry a handgun so that the individual may reapply for a license.

(g) If the court denies an individual's petition under this section, the individual may not file a subsequent petition until at least one hundred eighty (180) days after the date on which the court denied the petition.

(h) If a court issues an order described under subsection (f), the court's order shall be transmitted, as soon as practicable, to the office of judicial administration for transmission to the NICS (as defined in IC 35-47-2.5-2.5) **and, beginning July 1, 2021, for the collection of certain data related to the confiscation and retention of firearms taken from dangerous individuals** in accordance with IC 33-24-6-3."

Page 100, delete lines 33 through 42.

Page 101, delete lines 1 through 16.

Page 106, line 6, after "(a)(2)" delete "(a)" and insert "(a)".

Page 106, line 11, after "(a)(2)" delete "(a)" and insert "(a)".

Page 111, between lines 5 and 6, begin a new paragraph and insert:

"SECTION 82. IC 35-52-16-58 IS REPEALED [EFFECTIVE JULY 1, 2020]. Sec. 58: IC 16-41-14-17 defines a crime concerning communicable diseases."

Renumber all SECTIONS consecutively.

(Reference is to SB 335 as reprinted February 4, 2020.) and when so amended that said bill do pass.

Committee Vote: yeas 9, nays 0.

MCNAMARA, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Family, Children and Human Affairs, to which was referred Senate Bill 345, 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:

Delete everything after the enacting clause and insert the following:

SECTION 1. IC 2-5-1.3-4, AS AMENDED BY P.L.231-2019, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 4. The following interim study committees are established:

- (1) Agriculture and Natural Resources.
- (2) Commerce and Economic Development.
- (3) Corrections and Criminal Code.
- (4) Courts and the Judiciary.
- (5) Education.
- (6) Elections.
- (7) Employment and Labor.
- (8) Energy, Utilities, and Telecommunications.
- (9) Environmental Affairs.
- (10) Financial Institutions and Insurance.
- (11) Government.
- (12) Public Safety and Military Affairs.
- (13) Pension Management Oversight.
- (14) Public Health, Behavioral Health, and Human Services.
- (15) Public Policy.
- (16) Roads and Transportation.
- (17) Fiscal Policy.
- (18) Child services.**

SECTION 2. IC 2-5-1.3-13, AS AMENDED BY P.L.2-2018, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 13. (a) A study committee shall study the issues assigned by the legislative council that are within the subject matter for the study committee, as described in section 4 of this chapter.

(b) In addition to the issues assigned under subsection (a), the interim study committee on roads and transportation shall advise the bureau of motor vehicles regarding the suitability of a special group (as defined in IC 9-13-2-170) to receive a special group recognition license plate for the special group (as defined in IC 9-13-2-170) for the first time under IC 9-18.5-12-4 and the suitability of a special group (as defined in IC 9-13-2-170) to continue participating in the special group recognition license plate program under IC 9-18.5-12-5.

(c) In addition to the issues assigned under subsection (a), the interim study committee on corrections and criminal code shall review current trends with respect to criminal behavior, sentencing, incarceration, and treatment and may:

- (1) identify particular needs of the criminal justice system that can be addressed by legislation; and
- (2) prepare legislation to address the particular needs found by the committee.

(d) In addition to the issues assigned under subsection (a), the interim study committee on child services shall do the following:

- (1) Review and study the progress and improvements made by the department of child services since its creation.**
- (2) Review best practices concerning child welfare, child mental health, and delinquent children.**
- (3) Receive and review status reports from the department of child services ombudsman.**
- (4) Review and study the department of child services child abuse and neglect hotline, including the process used to refer a report to a local office.**
- (5) Review and study ways to improve the long term viability of providers to provide coverage to children and families across the entire state.**
- (6) Review federal legislation and its impact on the state and ways to improve the delivery of services as it relates to meeting federal requirements.**
- (7) Make legislative recommendations concerning the department of child services.**

SECTION 3. **An emergency is declared for this act.** (Reference is to SB 345 as printed January 29, 2020.) and when so amended that said bill do pass.

Committee Vote: yeas 11, nays 0.

DEVON, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Ways and Means, to which was referred Senate Bill 350, 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, delete lines 1 through 15.

Page 2, delete lines 1 through 25.

Page 2, between lines 37 and 38, begin a new line block indented and insert:

"(2) "Metropolitan planning area" means the metropolitan planning area (as defined in 23 U.S.C. 134) that is established for the MPO."

Page 2, line 38, delete "(2)" and insert "(3)".

Page 3, line 31, delete "for:" and insert **"for transportation policy, to provide a coordinative management process for counties described in section 2 of this chapter, and to assist the central Indiana regional development authority in carrying out its duties under IC 36-7.7. The MPO shall coordinate its activities with all member units in the counties and the member units of the central Indiana regional development authority and shall coordinate and assist the planning programs of member units, the central Indiana regional development authority, and the state that relate to its purposes."**

Page 3, delete lines 32 through 41.

Page 4, line 1, after "under" insert **"section 4 of this chapter."**

Page 4, line 1, delete "this chapter, except".

Page 4, delete lines 2 through 17.

Page 4, line 18, delete "(d)" and insert **"(b)"**.

Page 4, line 19, delete "as provided in this section".

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

Page 4, line 33, delete "an" and insert **"a"**.

Page 5, line 8, delete "do any of the following in support of its" and insert **"perform any function or duty necessary to carry out the purposes authorized by 23 CFR 450.300 through 23 CFR 450.340 or in support of the purposes of the central Indiana regional development authority authorized by IC 36-7.7."**

Page 5, delete lines 9 through 42.

Page 6, delete lines 1 through 31.

Page 6, line 32, delete "(a)".

Page 6, line 33, delete "shall" and insert **"may"**.

Page 6, delete lines 35 through 42, begin a new paragraph and insert:

"Sec. 11. (a) Before October 1, 2021, the MPO shall do the following:

(1) Develop a comprehensive asset management plan for the metropolitan planning area in collaboration with the Indiana department of transportation that provides for the following:

(A) That road funding sources are expended in a manner that optimizes the life cycle of the entire roadway inventory, including surface course, road base, subbase, subgrade and drainage features, and bridge assets.

(B) The determination of certified average ratings for all road pavement and bridges in the consolidated city's inventory, including the following:

(i) The average rating of all arterial roads.

(ii) The average rating of all collector roads.

(iii) The average rating of all local roads.

(iv) The combined average rating of all roads.

(v) The average sufficiency rating of all bridges.

(vi) The percentage of bridges rated structurally deficient.

(vii) The percentage of bridges rated functionally obsolete.

(viii) The average age of all bridges.

(C) The achievement of the following ratings for the specified categories of assets before December 31, 2030:

(i) An average pavement condition index (PCI) of at least eighty-five (85) for all arterial roads.

(ii) An average PCI of at least eighty (80) for all collector roads.

(iii) An average PCI of at least seventy (70) for all local roads.

(iv) A bridge sufficiency rating of at least ninety (90) for all bridges.

(2) Present the comprehensive asset management plan described in subdivision (1) to:

(A) the city-county council of the consolidated city;

(B) the fiscal and legislative bodies of each entity that is a member of the MPO; and

(C) the budget committee.

(b) Before June 30, 2022, the legislative body and the executive of each eligible political subdivision within the metropolitan planning area shall adopt a plan by ordinance or resolution to achieve the comprehensive asset management plan described in subsection (a)(1) before December 31, 2030."

Page 7, delete lines 1 through 15.

Page 8, delete lines 30 through 35.

Page 8, line 36, delete "(d)" and insert **"(c)"**.

Page 8, line 42, delete "(e)" and insert **"(d)"**.

Page 9, between lines 9 and 10, begin a new paragraph and insert:

"(e) If not already members, Marion County and the city of Indianapolis are required to join the central Indiana regional development authority if sixty percent (60%) or more of the eligible units located within the Indianapolis-Carmel-Anderson Metropolitan Statistical Area as defined by the United States Census Bureau become members of the central Indiana regional development authority.

(f) Notwithstanding any other law, any of the following governmental units may immediately withdraw from the development authority to which they belong in order to join the central Indiana regional development authority:

(1) The city of Westfield.

(2) The city of Carmel.

(3) The city of Greenwood.

(4) Marion County."

Page 9, line 27, after "any" insert **"other capital infrastructure"**.

Page 9, delete lines 37 through 38.

Page 9, line 39, delete "(4)" and insert **"(3)"**.

Page 9, line 41, delete "(5)" and insert **"(4)"**.

Page 10, line 5, delete "of action," and insert **", identify ways to eliminate duplicative government services within the region,"**

Page 10, line 9, delete "13 C.F.R. 303.7," and insert **"13 CFR 303.7 and"**.

Page 10, line 10, delete "participation," and insert **"participation."**

Page 10, delete lines 11 through 42.

Page 11, delete lines 1 through 37.

Page 12, delete lines 11 through 14.

Page 13, delete lines 10 through 12.

Page 13, line 26, delete "(a) Subsection to subsection (b), a" and insert **"A"**.

Page 13, delete lines 30 through 35.

Page 15, between lines 12 and 13, begin a new paragraph and insert:

"(e) The central Indiana regional development authority shall pay the cost of the annual financial audit under this chapter. In addition, the state board of accounts may at any time conduct an audit of any phase of the operations of the development authority. The development authority shall pay the cost of any audit by the state board of accounts."

Page 17, line 27, after "executive" insert **"and fiscal and legislative bodies"**.

Re-number all SECTIONS consecutively. and when so amended that said bill do pass.

(Reference is to SB 350 as printed January 29, 2020.) Committee Vote: yeas 21, nays 0.

BROWN T., Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Statutory Committee on Interstate and International Cooperation, to which was referred Senate Bill 355, 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 30, delete "the" and insert "a".

Page 5, line 32, delete "and" and insert "or".

Page 5, line 32, after "." insert **"For purposes of investigatory activities, the term includes any other state agency lawfully responsible for conducting investigations."**

Page 19, line 15, delete "to".

(Reference is to SB 355 as printed January 24, 2020.) and when so amended that said bill do pass.

Committee Vote: yeas 6, nays 1.

BACON, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Ways and Means, to which was referred Senate Bill 365, 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 7, strike "in 2015 or".

Page 1, line 7, strike "thereafter" and insert **"after 2014 and"**.

Page 1, after line 15, begin a new paragraph and insert:

"SECTION 2. IC 36-1-1.5-9, AS AMENDED BY P.L.129-2019, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 9. The following apply if at least two-thirds (2/3) of the voters voting in a special election under this chapter vote "yes" on the public question under this chapter:

(1) The legislative body of the eligible municipality may, within ~~one (1) year~~ **two (2) years** after the special election, submit a petition to one (1) or more adjacent townships requesting an adjacent township to accept the transfer of the territory of the eligible municipality that is within the transferor township.

(2) The legislative body of an adjacent township that receives a petition under subdivision (1) may adopt a resolution accepting the transfer of the territory of the eligible municipality that is within the transferor township and specifying the date on which the transfer is effective, **if the legislative body of the adjacent township adopts a resolution accepting the transfer of the territory of the eligible municipality before the later of:**

- (A) December 31 of the calendar year in which the petition under subdivision (1) is received; or**
- (B) the ninetieth day following the date on which the**

petition under subdivision (1) is received.

However, the legislative body of the adjacent township may adopt a resolution accepting the transfer of the territory of the eligible municipality only within the ~~two (2) year~~ **two (2) years** period following the date on which the legislative body receives the petition:

(3) If the legislative body of the eligible municipality submits a ~~petition one (1) or more petitions~~ to one (1) or more adjacent townships under subdivision (1) within ~~one (1) year~~ **two (2) years** after the special election, but a resolution accepting the transfer of the territory of the eligible municipality within the transferor township is not adopted by the legislative body of an adjacent township ~~within the two (2) year period following the date on which the last legislative body of a township receives such a petition:~~

(A) the territory of the eligible municipality may not be transferred under this chapter; and

(B) a subsequent special election under this chapter may not be held in the eligible municipality:

before July 1, 2020, the territory of the eligible municipality is automatically transferred to and becomes part of the adjacent township with the greatest assessed value. A transfer under this subdivision is effective January 1, 2022, and the assessed value of property located in the territory of the eligible municipality that is located in the transferor township shall be used in preparing the 2022 budget of the receiving township.

(4) If the legislative body of the eligible municipality does not submit a petition to one (1) or more adjacent townships under subdivision (1) within ~~one (1) year~~ **two (2) years** after the special election:

(A) the territory of the eligible municipality may not be transferred under this chapter; and

(B) a subsequent special election under this chapter may not be held in the eligible municipality.

(5) If the transferor township issues or otherwise incurs indebtedness after June 30, 2020, the transferring township excluding the eligible municipality is obligated to repay the indebtedness and the eligible municipality is not obligated to repay the indebtedness."

Delete page 2.

Page 3, delete lines 1 through 10.

Page 3, delete lines 14 through 42.

Delete pages 4 through 6.

Page 7, delete lines 1 through 39.

Re-number all SECTIONS consecutively.

(Reference is to SB 365 as printed January 29, 2020.)

and when so amended that said bill do pass.

Committee Vote: yeas 14, nays 7.

BROWN T., Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Government and Regulatory Reform, to which was referred Senate Bill 367, 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:

Delete the title and insert the following:

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

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

"SECTION 1. IC 4-37-7-8, AS ADDED BY P.L.167-2011, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 8. (a) The chief

executive officer of the corporation may enter into a memorandum of understanding with one (1) or more nonprofit organizations that are recognized supporters of a specific state historic site and are exempt from taxation under Section 501(c)(3) of the Internal Revenue Code. The memorandum of understanding may provide that the nonprofit organization or organizations may maintain a gift shop and offer special events at the state historic site.

(b) A memorandum of understanding entered into under this section may not do any of the following to restrict the fundraising activities of an organization described in subsection (a):

- (1) Require the organization to deposit into the fund the proceeds of a fundraising activity approved by the chief executive officer.**
- (2) Require the organization to send money donated to the organization to the corporation.**
- (3) Require the approval of the chief executive officer, or the chief executive officer's designee, before the organization pursues general donations from individuals and other entities.**
- (4) Restrict, regulate, or limit the ability of the organization to hold offsite fundraising programs or activities.**
- (5) Restrict, regulate, or limit the ability of the organization to promote or advertise any onsite or offsite fundraising programs or activities on social media, via electronic mail, on an Internet web site, or by any other means.**

(c) A memorandum of understanding entered into under this section may not do any of the following:

- (1) Require the organization to be any type of supporting organization (as the term is used in the Internal Revenue Code).**
- (2) Require a representative of the corporation to be a voting or nonvoting member of the organization's board of directors.**
- (3) Require the organization to submit to the corporation any organization documents, correspondence, electronic mail, or other data that are not required to be submitted by the Internal Revenue Service.**
- (4) Require the organization to submit an audit of the organization's funds.**
- (5) Restrict, regulate, or otherwise limit the ability of the organization to promote any onsite or offsite activities.**
- (6) Allow the corporation to take a nonprofit organization's real or financial assets.**
- (7) Require the organization to pay any rental or other fee to support an event at a state historic site that is sponsored by the organization or the corporation.**

(d) The corporation shall return to the organization any funds raised by the organization and donated to the corporation that:

- (1) are designated as donor restricted funds for a specific use in a historic site project; and**
- (2) are not used for the donor's specified use in the historic site project;**

upon the completion of the historic site project.

SECTION 2. IC 14-28-1-23 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2020 (RETROACTIVE)]: Sec. 23. (a) The director may remove or eliminate a structure, an obstruction, a deposit, or an excavation in a floodway that:

- (1) adversely affects the efficiency of or unduly restricts the capacity of the floodway;
- (2) constitutes an unreasonable hazard to the safety of life or property; or
- (3) is unreasonably detrimental to fish, wildlife, or botanical resources;

by an action in condemnation.

(b) In assessing the damages in the proceedings, the appraisers and the court shall take into consideration whether the structure, obstruction, deposit, or excavation is legally in or on the floodway.

(c) Beginning January 1, 2020, the director shall not exercise the authority under subsection (a) to remove or eliminate an abode or residence from a floodway if:

- (1) the abode or residence was constructed before January 1, 2020;**
- (2) the owner of the abode or residence has taken necessary measures to elevate the lowest floor of the abode or residence as reconstructed, including the basement, to at least two (2) feet above the one hundred (100) year flood elevation within the two (2) years of receiving notification by the department; and**
- (3) the owner of the abode or residence has taken necessary measures to comply with all applicable federal, state, and local floodway regulations.**

SECTION 3. IC 36-7.5-2-3, AS AMENDED BY P.L.248-2017, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 3. (a) The development authority is governed by the development board appointed under this section.

(b) Except as provided in subsections (e), (f), and (h), the development board is composed of the following ~~seven (7)~~ **eleven (11)** members:

- (1) Two (2) members appointed by the governor. One (1) of the members appointed by the governor under this subdivision must be an individual nominated under subsection (d). The members appointed by the governor under this subdivision serve at the pleasure of the governor.
- (2) The following members from a county having a population of more than four hundred thousand (400,000) but less than seven hundred thousand (700,000):
 - (A) One (1) member appointed by the mayor of the largest city in the county in which a riverboat is located.
 - (B) One (1) member appointed by the mayor of the second largest city in the county in which a riverboat is located.
 - (C) One (1) member appointed by the mayor of the third largest city in the county in which a riverboat is located.
 - (D) One (1) member appointed jointly by the county executive and the county fiscal body. A member appointed under this clause may not reside in a city described in clause (A), (B), or (C).
- (3) One (1) member appointed jointly by the county executive and county fiscal body of a county having a population of more than one hundred fifty thousand (150,000) but less than one hundred seventy thousand (170,000).
- (4) The following four (4) members appointed under subsection (j):**
 - (A) One (1) member appointed from Lake County.**
 - (B) One (1) member appointed from Porter County.**
 - (C) One (1) member appointed from LaPorte County.**
 - (D) One (1) member appointed from St. Joseph County.**

The members appointed under clauses (C) and (D) may only vote on matters that pertain strictly to the transit development district within LaPorte County and St. Joseph County.

(c) A member appointed to the development board must have knowledge and at least five (5) years professional work experience in at least one (1) of the following:

- (1) Rail transportation or air transportation.

(2) Regional economic development.

(3) Business or finance.

(d) The mayor of the largest city in a county having a population of more than one hundred fifty thousand (150,000) but less than one hundred seventy thousand (170,000) shall nominate three (3) residents of the county for appointment to the development board. One (1) of the governor's initial appointments under subsection (b)(1) must be an individual nominated by the mayor. At the expiration of the member's term, the mayor of the second largest city in the county shall nominate three (3) residents of the county for appointment to the development board. One (1) of the governor's appointments under subsection (b)(1) must be an individual nominated by the mayor. Thereafter, the authority to nominate the three (3) individuals from among whom the governor shall make an appointment under subsection (b)(1) shall alternate between the mayors of the largest and the second largest city in the county at the expiration of a member's term.

(e) A county having a population of more than one hundred eleven thousand (111,000) but less than one hundred fifteen thousand (115,000) shall be an eligible county participating in the development authority if the fiscal body of the county adopts an ordinance providing that the county is joining the development authority and the fiscal body of a city that is located in the county and that has a population of more than thirty-one thousand (31,000) but less than thirty-one thousand five hundred (31,500) adopts an ordinance providing that the city is joining the development authority. Notwithstanding subsection (b), if ordinances are adopted under this subsection and the county becomes an eligible county participating in the development authority:

(1) the development board shall be composed of ~~nine (9)~~ **thirteen (13)** members rather than ~~seven (7)~~ **eleven (11)** members; and

(2) the additional two (2) members shall be appointed in the following manner:

(A) One (1) additional member shall be appointed by the governor and shall serve at the pleasure of the governor. The member appointed under this clause must be an individual nominated under subsection (f).

(B) One (1) additional member shall be appointed jointly by the county executive and county fiscal body.

(f) This subsection applies only if the county described in subsection (e) is an eligible county participating in the development authority. The mayor of the largest city in the county described in subsection (e) shall nominate three (3) residents of the county for appointment to the development board. The governor's initial appointment under subsection (e)(2)(A) must be an individual nominated by the mayor. At the expiration of the member's term, the mayor of the second largest city in the county described in subsection (e) shall nominate three (3) residents of the county for appointment to the development board. The governor's second appointment under subsection (e)(2)(A) must be an individual nominated by the mayor. Thereafter, the authority to nominate the three (3) individuals from among whom the governor shall make an appointment under subsection (e)(2)(A) shall alternate between the mayors of the largest and the second largest city in the county at the expiration of a member's term.

(g) An individual or entity required to make an appointment under subsection (b) or nominations under subsection (d) must make the initial appointment before September 1, 2005, or the initial nomination before August 15, 2005. If an individual or entity does not make an initial appointment under subsection (b) before September 1, 2005, or the initial nominations required under subsection (d) before September 1, 2005, the governor shall instead make the initial appointment.

(h) Subsection (i) applies only to municipalities located in a county that:

(1) has a population of more than one hundred fifty

thousand (150,000) but less than one hundred seventy thousand (170,000); and

(2) was a member of the development authority on January 1, 2009, and subsequently ceases to be a member of the development authority.

(i) If the fiscal bodies of at least two (2) municipalities subject to this subsection adopt ordinances to become members of the development authority, those municipalities shall become members of the development authority. If two (2) or more municipalities become members of the development authority under this subsection, the fiscal bodies of the municipalities that become members of the development authority shall jointly appoint one (1) member of the development board who shall serve in place of the member described in subsection (b)(3). A municipality that becomes a member of the development authority under this subsection is considered an eligible municipality for purposes of this article.

(j) The governor shall appoint four (4) members to the development board as follows:

(1) The initial appointment of one (1) member shall be selected out of a list of three (3) nominations from the county executive of Lake County. The nominations shall be transmitted to the governor not later than July 1, 2020. If the entity does not make the initial nominations by July 1, 2020, the governor shall instead make the initial appointment. After the initial appointment, the governor shall appoint a resident of Lake County.

(2) The initial appointment of one (1) member shall be selected out of a list of three (3) nominations from the county executive of Porter County. The nominations shall be transmitted to the governor not later than July 1, 2020. If the entity does not make the initial nominations by July 1, 2020, the governor shall instead make the initial appointment. After the initial appointment, the governor shall appoint a resident of Porter County.

(3) The initial appointment of one (1) member shall be selected out of a list of three (3) nominations from the county executive of LaPorte County. The nominations shall be transmitted to the governor not later than July 1, 2020. If the entity does not make the initial nominations by July 1, 2020, the governor shall instead make the initial appointment. After the initial appointment, the governor shall appoint a resident of LaPorte County.

(4) The initial appointment of one (1) member shall be selected out of a list of three (3) nominations from the county executive of St. Joseph County. The nominations shall be transmitted to the governor not later than July 1, 2020. If the entity does not make the initial nominations by July 1, 2020, the governor shall instead make the initial appointment. After the initial appointment, the governor shall appoint a resident of St. Joseph County."

Page 2, after line 35, begin a new paragraph and insert: "SECTION 6. An emergency is declared for this act."

Remember all SECTIONS consecutively.

(Reference is to SB 367 as printed January 24, 2020.)

and when so amended that said bill do pass.

Committee Vote: yeas 10, nays 2.

PRESSEL, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Ways and Means, to which was referred Senate Bill 408, 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, delete lines 1 through 15.

Delete page 2.

Page 3, delete lines 1 through 14.

Page 3, between lines 35 and 36, begin a new paragraph and insert:

"SECTION 3. IC 6-1.1-20.3-17, AS ADDED BY P.L.257-2019, SECTION 55, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 17. (a) If the distressed unit appeal board delays or suspends, for a period determined by the board, any payments on loans or advances from the common school fund under section 6.8 of this chapter, the distressed unit appeal board may recommend to the state board of finance that the term of the loans or advances be extended. If the distressed unit appeal board makes a recommendation to extend the term of the loan or advances, the state board of finance may extend the term of the loans or advances for a period of time that is equal to or less than the number of months for which the payments are delayed or suspended.

(b) If payments on loans or advances from the common school fund are suspended under section 6.8 of this chapter, the distressed unit appeal board shall require that the school corporation:

(1) establish a school improvement fund; and

(2) transfer to the school improvement fund an amount equal to the payments that are delayed or suspended.

(c) A school improvement fund established under subsection (b)(1) may be used only for the following purposes:

(1) Repair, renovation, or other improvements to school buildings and property being used for education purposes as of July 1, 2020.

(2) Demolition of school buildings or other structures on school property in existence as of July 1, 2020.

(d) No more than twenty percent (20%) of the funds transferred to the school improvement fund under subsection (b)(2) may be used for the purpose of demolition under subsection (c)(2).

(e) All expenditures from a school improvement fund established under subsection (b)(1) must be approved by the distressed unit appeal board.

(f) A school corporation may, on an annual basis, levy a tax in the debt service fund equal to the amount that would have been deducted from the distribution of state tuition support for the payment of loans made under section 6.8 of this chapter during calendar year 2020 if the loans had not been suspended. The amount received from a tax under this subsection must be transferred from the debt service fund to the education fund.

(g) With the approval of the distressed unit appeal board, a school corporation may spend other funds of the school corporation for the purposes described in subsection (c) and reimburse the expenditures from a school improvement fund established under subsection (b)(1).

(h) This section expires January 1, 2025."

Page 16, line 28, strike "March 15" and insert "January 15".

Page 16, line 31, strike "and".

Page 16, line 33, delete "." and insert "**described in subdivision (1);**

(3) the name of each retail merchant that:

(A) held a registered retail merchant's certificate at any time during the preceding year for a place of business located in the township or county; and

(B) had ceased to hold the registered retail merchant's certificate at the end of the preceding year for the place of business; and

(4) the address of each place of business described in subdivision (3)."

Page 21, line 16, delete "dollar" and insert "**income**".

Page 21, line 16, delete "shall be reduced by fifty" and insert "**is equal to twenty thousand dollars (\$20,000)**".

Page 21, delete line 17.

Page 24, delete lines 26 through 28.

Page 24, line 29, reset in roman "(26)".

Page 24, line 29, delete "(27)".

Page 26, run in lines 9 through 10.

Page 27, delete line 42.

Page 28, delete lines 1 through 2.

Page 28, line 3, reset in roman "(17)".

Page 28, line 3, delete "(18)".

Page 37, delete lines 7 through 9.

Page 37, line 10, reset in roman "(13)".

Page 37, line 10, delete "(14)".

Page 37, line 14, reset in roman "(a)(26)".

Page 37, line 14, delete "(a)(27)".

Page 37, line 14, reset in roman "(b)(17)".

Page 37, line 14, delete "(b)(18)".

Page 37, line 15, reset in roman "(f)(13)".

Page 37, line 15, delete "(f)(14)".

Page 37, between lines 36 and 37, begin a new paragraph and insert:

"SECTION 23. IC 6-3-1-11, AS AMENDED BY P.L.234-2019, SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2020 (RETROACTIVE)]: Sec. 11. (a) The term "Internal Revenue Code" means the Internal Revenue Code of 1986 of the United States as amended and in effect on January 1, ~~2019~~ **2020**.

(b) Whenever the Internal Revenue Code is mentioned in this article, the particular provisions that are referred to, together with all the other provisions of the Internal Revenue Code in effect on January 1, ~~2019~~ **2020**, that pertain to the provisions specifically mentioned, shall be regarded as incorporated in this article by reference and have the same force and effect as though fully set forth in this article. To the extent the provisions apply to this article, regulations adopted under Section 7805(a) of the Internal Revenue Code and in effect on January 1, ~~2019~~ **2020**, shall be regarded as rules adopted by the department under this article, unless the department adopts specific rules that supersede the regulation.

(c) An amendment to the Internal Revenue Code made by an act passed by Congress before January 1, ~~2019~~ **2020**, other than the federal 21st Century Cures Act (P.L. 114-255) and the federal Disaster Tax Relief and Airport and Airway Extension Act of 2017 (P.L. 115-63), that is effective for any taxable year that began before January 1, ~~2019~~ **2020**, and that affects:

(1) individual adjusted gross income (as defined in Section 62 of the Internal Revenue Code);

(2) corporate taxable income (as defined in Section 63 of the Internal Revenue Code);

(3) trust and estate taxable income (as defined in Section 641(b) of the Internal Revenue Code);

(4) life insurance company taxable income (as defined in Section 801(b) of the Internal Revenue Code);

(5) mutual insurance company taxable income (as defined in Section 821(b) of the Internal Revenue Code); or

(6) taxable income (as defined in Section 832 of the Internal Revenue Code);

is also effective for that same taxable year for purposes of determining adjusted gross income under section 3.5 of this chapter.

(d) This subsection applies to a taxable year ending before January 1, 2013. The following provisions of the Internal Revenue Code that were amended by the Tax Relief Act, Unemployment Insurance Reauthorization, and Job Creation Act of 2010 (P.L. 111-312) are treated as though they were not amended by the Tax Relief Act, Unemployment Insurance Reauthorization, and Job Creation Act of 2010 (P.L. 111-312):

(1) Section 1367(a)(2) of the Internal Revenue Code pertaining to an adjustment of basis of the stock of

shareholders.

(2) Section 871(k)(1)(C) and 871(k)(2)(C) of the Internal Revenue Code pertaining to the treatment of certain dividends of regulated investment companies.

(3) Section 897(h)(4)(A)(ii) of the Internal Revenue Code pertaining to regulated investment companies qualified entity treatment.

(4) Section 512(b)(13)(E)(iv) of the Internal Revenue Code pertaining to the modification of tax treatment of certain payments to controlling exempt organizations.

(5) Section 613A(c)(6)(H)(ii) of the Internal Revenue Code pertaining to the limitations on percentage depletion in the case of oil and gas wells.

(6) Section 451(i)(3) of the Internal Revenue Code pertaining to special rule for sales or dispositions to implement Federal Energy Regulatory Commission or state electric restructuring policy for qualified electric utilities.

(7) Section 954(c)(6) of the Internal Revenue Code pertaining to the look-through treatment of payments between related controlled foreign corporation under foreign personal holding company rules.

The department shall develop forms and adopt any necessary rules under IC 4-22-2 to implement this subsection."

Page 37, delete lines 37 through 42.

Delete pages 38 through 42.

Page 43, delete lines 1 through 41.

Page 45, between lines 20 and 21, begin a new paragraph and insert:

"SECTION 1. IC 6-3-3-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 1. (a) **Subject to subsection (b)**, the amount deducted and withheld as tax under ~~IC 6-3-4-8, IC 6-3-4-12, and IC 6-3-4-13~~ **IC 6-3-4 or IC 6-5.5-2-8** during any taxable year shall be allowed as a credit to the taxpayer against the tax imposed on ~~him~~ **the taxpayer** by IC 6-3-2.

(b) **For each taxable year, the credit provided to a taxpayer by subsection (a) is reduced to the extent that the amount deducted and withheld as tax under IC 6-3-4 or IC 6-5.5-2-8 during the taxable year is applied as a credit against the tax imposed by IC 6-5.5."**

Page 49, between lines 11 and 12, begin a new paragraph and insert:

"SECTION 1. IC 6-3-4-13.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE APRIL 1, 2020 (RETROACTIVE)]: Sec. 13.5.

(a) **The following definitions apply throughout this section:**

(1) **"Initial recipient"** means a person or entity to whom prize money is paid by a payor.

(2) **"Payor"** means a promoter, sanctioning body, or designee of the promoter or sanctioning body that first pays prize money to a race team or any other person or entity. **The term does not include a subsequent person or entity who pays or distributes any part of the prize money.**

(3) **"Prize money"** with respect to a racing event at a qualified motorsports facility means any purse or other amounts earned for placement or participation in a race or part of a race, including qualification. **The term does not include amounts earned based on placement or participation in more than one (1) race unless the races are conducted at a qualified motorsports facility.**

(4) **"Qualified motorsports facility"** has the meaning set forth in IC 5-1-17.5-14.

(5) **"Race team"** has the meaning set forth in IC 6-3-2-3.2(a).

(6) **"Ultimate recipient"** means the person or entity to whom any tax withheld under this section is to be credited for purposes of this article or IC 6-5.5. **The**

term may apply to an initial recipient.

(b) **Whenever a payor pays prize money to an initial recipient, the payor shall deduct and retain from the prize money the applicable amount prescribed in the withholding instructions described in section 8 of this chapter. The following provisions apply to a payor and the money required to be deducted and retained by the payor under this section:**

(1) **Money deducted and retained by a payor under this section immediately becomes the money of the state and every payor who deducts and retains money under this section holds the money in trust for the state.**

(2) **The provisions of IC 6-8.1 relating to additions to tax in case of delinquency and penalties apply to a payor under this section. For these purposes, the payor shall be considered the taxpayer and any amount required to be remitted to the department under this section shall be considered to be the tax of the payor.**

(3) **The payor is liable to the state for the payment of the tax required to be deducted and retained under this section. The payor is not liable to any initial recipient or ultimate recipient for the amount deducted from the payment of prize money and paid to the department in compliance, or intended compliance, with this section.**

(c) **A payor shall remit to the department the amount required to be deducted and retained under subsection (b) not later than thirty (30) days after the end of the month in which the prize money is paid. At the time of the remittance, the payor shall provide to the department a list of all initial recipients and the amount withheld on behalf of each initial recipient on forms prescribed by the department.**

(d) **Not later than thirty (30) days after the end of the calendar year for which tax is withheld under this section, an initial recipient shall provide a statement to each ultimate recipient and to the department listing the amounts withheld under subsection (b) on behalf of the ultimate recipients. The statement must be made in the manner prescribed by the department. A statement from the initial recipient to the ultimate recipient is evidence of tax withheld by the payor in favor of the ultimate recipient unless the statement from the initial recipient is determined to be erroneous or fraudulent.**

(e) **This section does not impose a duty to withhold amounts from prize money on an entity other than a payor. However, an initial recipient or ultimate recipient may otherwise have a duty to withhold amounts from prize money under sections 8, 12, 13, or 15 of this chapter."**

Page 49, line 23, strike "reports" and insert "schedules K-1 of form IT-41".

Page 49, line 23, strike "under".

Page 49, line 24, strike "section 15(b) of this chapter".

Page 49, delete lines 33 through 42.

Delete page 50.

Page 51, delete lines 1 through 8.

Page 53, between lines 26 and 27, begin a new paragraph and insert:

"SECTION 34. IC 6-3.1-34-3.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 3.5. As used in this chapter, "mine reclamation site" means:

(1) **land that has been mined using surface mining methods or underground mining methods, specifically and primarily for the removal of coal; and**

(2) **land that is contiguous to land described in subdivision (1).**

SECTION 35. IC 6-3.1-34-6, AS ADDED BY P.L. 158-2019, SECTION 29, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 6. As used in this chapter, "qualified redevelopment site" means:

- (1) land on which a vacant building or complex of buildings was placed in service at least fifteen (15) years before the date on which the application is filed with the corporation under this chapter;
- (2) land on which a vacant building or complex of buildings:
 - (A) was placed in service at least fifteen (15) years before the date on which the demolition of the vacant building or complex of buildings was completed; and
 - (B) that was demolished in an effort to protect the health, safety, and welfare of the community;
- (3) land on which a vacant building or complex of buildings:
 - (A) was placed in service at least fifteen (15) years before the date on which the demolition of the vacant building or complex of buildings was completed;
 - (B) was placed in service as a public building;
 - (C) was owned by a unit of local government; and
 - (D) has not been redeveloped since the building was taken out of service as a public building;
- (4) vacant land; ~~or~~
- (5) mine reclamation site; or**
- ~~(5)~~ **(6) brownfields consisting of more than fifty (50) acres.**

For a complex of buildings to be considered a qualified redevelopment site under subdivision (1), (2) or (3), the buildings must have been located on a single parcel or contiguous parcels of land that were under common ownership at the time the site was placed in service.

SECTION 36. IC 6-3.1-34-10, AS ADDED BY P.L.158-2019, SECTION 29, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 10. As used in this chapter, "taxpayer" means any person, corporation, limited liability company, partnership, or other entity that has any state tax liability. The term includes the owner or the developer of the qualified development site property, a pass through entity, and ~~a person an assignee~~ that is assigned part or all of a credit under section 14 of this chapter.

SECTION 37. IC 6-3.1-34-14, AS ADDED BY P.L.158-2019, SECTION 29, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 14.(a) If a taxpayer is awarded a credit under this chapter before July 1, 2029, the taxpayer may assign any part of the credit that the taxpayer may claim under this chapter. A credit that is assigned under this subsection remains subject to this chapter.

(b) If a taxpayer assigns a part of a credit during a taxable year, the assignee may not subsequently assign all or part of the credit to another ~~person: taxpayer~~. A taxpayer may make only one (1) assignment of a credit. Before a credit may be assigned, the taxpayer must notify the corporation of the assignment of the credit in the manner prescribed by the corporation. An assignment of a credit must be in writing, and both the taxpayer and assignee shall report the assignment on the taxpayer's and assignee's state tax returns for the year in which the assignment is made, in the manner prescribed by the department. A taxpayer may not receive value in connection with an assignment under this section that exceeds the value of that part of the credit assigned.

(c) The corporation shall collect and compile data on the assignments of tax credits under this chapter and determine the effectiveness of each assignment in getting projects completed. The corporation shall report its findings under this subsection to the legislative council in an electronic format under IC 5-14-6 before November 1, 2022."

Page 53, line 40, delete "IS REPEALED" and insert ", AS AMENDED BY P.L.234-2019, SECTION 18, IS AMENDED TO READ AS FOLLOWS".

Page 53, line 41, after "2020]" delete "." and insert ":".

Page 56, delete lines 23 through 42.

Page 57, delete lines 1 through 16.

Page 57, between lines 16 and 17, begin a new paragraph and insert:

"SECTION 40. IC 6-8.1-3-7.1, AS AMENDED BY P.L.108-2019, SECTION 133, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 7.1. (a) **As used in this section, "fiscal officer" has the meaning set forth means:**

(1) a fiscal officer (as defined in IC 36-1-2-7); and

(2) in the case of a county, the county treasurer.

(b) The department shall enter into an agreement with the fiscal officer of an entity that has adopted an innkeeper's tax, a food and beverage tax, or an admissions tax under IC 6-9 to furnish the fiscal officer annually with:

(1) the name of each business collecting the taxes listed in this subsection; and

(2) the amount of money collected from each business.

For an innkeeper's tax or food and beverage tax remitted through a marketplace facilitator, the information must include the name of each business and the amount of money collected from each business by a marketplace facilitator acting on behalf of the business.

(c) The agreement must provide that the department must provide the information in an electronic format that the fiscal officer can use. ~~as well as a paper copy.~~

(d) The agreement must include a provision that, unless in accordance with a judicial order, the fiscal officer, employees of the fiscal officer, former employees of the fiscal officer, counsel of the fiscal officer, agents of the fiscal officer, or any other person may not divulge the names of the businesses, the amount of taxes paid by the businesses, or any other information disclosed to the fiscal officer by the department.

(e) The department shall also enter into an agreement with the fiscal officer of a capital improvement board of managers:

(1) created under IC 36-10-8 or IC 36-10-9; and

(2) that is responsible for expenditure of funds from:

(A) an innkeeper's tax, a food and beverage tax, or an admissions tax under IC 6-9;

(B) the supplemental auto rental excise tax under IC 6-6-9.7; or

(C) the state gross retail taxes allocated to a professional sports development area fund, a sports and convention facilities operating fund, or other fund under IC 36-7-31 or IC 36-7-31.3;

to furnish the fiscal officer annually with the name of each business collecting the taxes listed in this subsection, and the amount of money collected from each business. An agreement with a fiscal officer under this subsection must include a nondisclosure provision the same as is required for a fiscal officer under subsection (d).

SECTION 41. IC 6-8.1-3-8 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 8. (a) The department may prescribe qualifications a person must have to represent a taxpayer before the department. However, a person may not represent a taxpayer before the department, unless:

(1) the taxpayer is present at all times when the representation occurs; or

(2) the person representing the taxpayer has a properly executed power of attorney authorizing ~~him~~ **the person** to represent the taxpayer.

(b) Notwithstanding any other law, the department may require a power of attorney relating to a listed tax to be completed on a form prescribed by the department.

(c) The department may accept a power of attorney that names an entity as a representative of a taxpayer, subject to rules adopted under IC 4-22-2, including emergency rules adopted in the manner provided in IC 4-22-2-37.1. Notwithstanding this article or IC 30-5, the department may adopt rules under IC 4-22-2, including emergency rules adopted in manner provided in IC 4-22-2-37.1, allowing a change of individuals acting on behalf of the entity without requiring a new or amended power of attorney to be

completed by the taxpayer."

Page 59, line 24, delete "The appropriate county officer, as designated" and insert **"The appropriate county officer, as designated by the county executive, in each county shall, before September 1, 2021, and before September 1 of every year thereafter, submit parcel level data, in a standard developed by the state GIS officer pursuant to IC 4-23-7.3-14, to the state GIS officer. This data may be used by the department's tax systems to identify each taxing unit within which each taxpayer's residence is located."**

Page 59, delete lines 25 through 29.

Page 59, line 31, delete "codes" and insert **"data"**.

Page 59, line 32, delete "under IC 4-23-7.3-14(16)".

Page 59, line 34, delete "department and state GIS officer" and insert **"department, consulting with the state GIS officer,"**.

Page 61, delete lines 20 through 21, begin a new paragraph and insert:

"(f) Except as provided in subsection (e), for purposes of:

(1) IC 6-8.1-5-1;

(2) IC 6-8.1-9-1; or

(3) an appeal related to subdivision (1) or (2);

an adjustment described in subsection (a) or the result of the department's secondary review under subsection (d) does not constitute a final determination and may not be construed to treat any adjustment as finally determined."

Page 68, between lines 29 and 30, begin a new paragraph and insert:

"(u) Information related to a listed tax regarding a taxpayer may be disclosed to an individual without a power of attorney under IC 6-8.1-3-8(a)(2) if:

(1) the individual is authorized to file returns and remit payments for one (1) or more listed taxes on behalf of the taxpayer through the department's online tax system before September 8, 2020;

(2) the information relates to a listed tax described in subdivision (1) for which the individual is authorized to file returns and remit payments;

(3) the taxpayer has been notified by the department of the individual's ability to access the taxpayer's information for the listed taxes described in subdivision (1) and the taxpayer has not objected to the individual's access;

(4) the individual's authorization or right to access the taxpayer's information for a listed tax described in subdivision (1) has not been withdrawn by the taxpayer; and

(5) disclosure of the information to the individual is not prohibited by federal law.

Except as otherwise provided by this article, this subsection does not authorize the disclosure of any correspondence from the department that is mailed or otherwise delivered to the taxpayer relating to the specified listed taxes for which the individual was given authorization by the taxpayer. The department shall establish a date, which may be earlier but not later than September 1, 2023, after which a taxpayer's information concerning returns and remittances for a listed tax may not be disclosed to an individual without a power of attorney under IC 6-8.1-3-8(a)(2) by providing notice to the affected taxpayers and previously authorized individuals, including notification published on the department's Internet web site. After the earlier of the date established by the department or September 1, 2023, the department may not disclose a taxpayer's information concerning returns and remittances for a listed tax to an individual unless the individual has a power of attorney under IC 6-8.1-3-8(a)(2) or the disclosure is otherwise allowed under this article."

Page 75, line 27, delete "For purposes of" and insert **"As used in"**.

Page 75, line 27, delete "shall" and insert **"means:"**.

Page 75, delete line 28.

Page 76, line 4, delete "makes" and insert **"made"**.

Page 76, line 9, delete "shall be" and insert **"is equal to"**.

Page 76, between lines 20 and 21, begin a new line block indented and insert:

"(3) If a penalty under this subsection is reduced to the amount specified in subsection (b)(2), the department may issue a new assessment for the penalty within thirty (30) days after the final determination of the penalty reduction."

Page 76, line 26, delete "shall be" and insert **"is"**.

Page 76, line 28, delete "(b)(2) or (c)." and insert **"(b)(2)."**

Page 77, line 23, delete "its" and insert **"the"**.

Page 77, line 25, after "reduction" insert **"of a penalty under subsection (c) to the amount specified in subsection (b)(2), the determination is not subject to administrative or judicial review."**

Page 77, delete lines 26 through 27.

Page 79, between lines 32 and 33, begin a new paragraph and insert:

"SECTION 53. IC 36-7-14-0.5, AS AMENDED BY P.L.235-2019, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 0.5. (a) The definitions in this section apply throughout this chapter.

(b) "Obligation" means any bond, note, warrant, lease, or other instrument under which money is borrowed.

(c) "Public funds" means all fees, payments, tax receipts, and funds of whatever kind or character coming into the possession of a:

(1) redevelopment commission; or

(2) department of redevelopment.

(d) "Residential housing" means housing or workforce housing that consists of single family dwelling units sufficient to secure quality housing in reasonable proximity to employment. The term includes condominiums and townhouses located within an economic development target area that is designated under IC 6-1.1-12.1-7.

(e) "Residential housing development program" means a residential housing development program for the:

(1) construction of new residential housing; or

(2) renovation of existing residential housing;

established by a commission under section 53 of this chapter.

(f) "Workforce housing" means housing that is affordable for households with earned income that is sufficient to secure quality housing in reasonable proximity to employment.

SECTION 54. IC 36-7-14-53, AS ADDED BY P.L.235-2019, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 53. (a) Subject to subsection (g), a commission may establish a residential housing development program by resolution for the construction of new residential housing or the renovation of existing residential housing if:

(1) for a commission established by a county, the average of new, single family residential houses constructed in the unincorporated area of the county during the preceding three (3) calendar years is less than one percent (1%) of the total number of single family residential houses within the unincorporated area of the county on January 1 of the year in which the resolution is adopted; or

(2) for a commission established by a municipality, the average of new, single family residential houses constructed within the municipal boundaries during the preceding three (3) calendar years is less than one percent (1%) of the total number of single family residential houses within the boundaries of the municipality on January 1 of the year in which the resolution is adopted.

However, the calculations described in subdivisions (1) and (2) and the provisions of subsection (f) do not apply for purposes of establishing a residential housing development program within an economic development target area

designated under IC 6-1.1-12.1-7.

(b) The program, which may include any relevant elements the commission considers appropriate, may be adopted as part of a redevelopment plan or amendment to a redevelopment plan, and must establish an allocation area for purposes of sections 39 and 56 of this chapter for the accomplishment of the program. The program must be approved by the municipal legislative body or county executive as specified in section 17 of this chapter.

(c) The notice and hearing provisions of sections 17 and 17.5 of this chapter, including notice under section 17(c) of this chapter to a taxing unit that is wholly or partly located within an allocation area, apply to the resolution adopted under subsection (b). Judicial review of the resolution may be made under section 18 of this chapter.

(d) Before formal submission of any residential housing development program to the commission, the department of redevelopment shall:

- (1) consult with persons interested in or affected by the proposed program;
- (2) provide the affected neighborhood associations, residents, and township assessors with an adequate opportunity to participate in an advisory role in planning, implementing, and evaluating the proposed program; and
- (3) hold public meetings in the affected neighborhood to obtain the views of neighborhood associations and residents.

(e) A residential housing development program established under this section must terminate not later than twenty (20) years after the date the program is established under subsection (b).

(f) The department of local government finance, in cooperation with either the appropriate county agency or the appropriate municipal agency, or both, shall determine whether a county or municipality meets the requirements under subsection (a). A county or municipality may request from the department of local government finance a report, if it exists, describing the effect of current assessed value allocated to tax increment financing allocation areas on the amount of the tax levy or proceeds and the credit for excessive property taxes under IC 6-1.1-20.6 for the taxing units within the boundaries of the residential housing development program.

(g) A program established under subsection (a) may not take effect until the governing body of each school corporation affected by the program passes a resolution approving the program.

SECTION 55. IC 36-7-32-8, AS AMENDED BY P.L.158-2019, SECTION 30, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 8. As used in this chapter, "income tax base period amount" means the following:

~~(1) Except as provided in subdivision (2), the aggregate amount of the following taxes paid by employees employed in the territory comprising a certified technology park with respect to wages and salary earned for work in the certified technology park for the state fiscal year that precedes the date on which the certified technology park was designated under section 11 of this chapter:~~

~~(A) (1) The adjusted gross income tax.~~

~~(B) (2) The local income tax (IC 6-3.6).~~

~~(2) In the case of a certified technology park for which the amount limit under section 22(c) or 22(d) of this chapter has been exceeded, the aggregate amount of adjusted gross income taxes and local income taxes (IC 6-3.6) paid by employees employed in the territory comprising a certified technology park with respect to wages and salary earned for work in the certified technology park for:~~

~~(A) the state fiscal year in which the total deposits in the incremental tax financing fund for the certified technology park first exceeded the amount limit under section 22(c) or 22(d) of this chapter; or~~

~~(B) the state fiscal year beginning July 1, 2019, and ending June 30, 2020; in the case of a certified technology park for which the amount limit under section 22(c) or 22(d) of this chapter was exceeded before July 1, 2020.~~

SECTION 56. IC 36-7-32-8.5, AS AMENDED BY P.L.158-2019, SECTION 31, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 8.5. As used in this chapter, "income tax incremental amount" means the following:

(1) Except as provided in subdivision (2), the remainder of:

(A) the total amount of state adjusted gross income taxes and local income taxes paid by employees employed in the territory comprising the certified technology park with respect to wages and salary earned for work in the territory comprising the certified technology park for a particular state fiscal year; minus
(B) the sum of the:

(i) income tax base period amount as defined in section ~~8(1)~~ **8** of this chapter; and

(ii) tax credits awarded by the Indiana economic development corporation under IC 6-3.1-13 to businesses operating in a certified technology park as the result of wages earned for work in the certified technology park for the state fiscal year;

as determined by the department of state revenue.

(2) In the case of a certified technology park for which the amount limit under section 22(c) or 22(d) of this chapter has been exceeded, the remainder of:

(A) the total amount of state adjusted gross income taxes and local income taxes paid by employees employed in the territory comprising the certified technology park with respect to wages and salary earned for work in the territory comprising the certified technology park for a particular state fiscal year; minus
(B) the sum of the:

(i) income tax base period amount as defined in section ~~8(2)~~ **8** of this chapter; and

(ii) tax credits awarded by the Indiana economic development corporation under IC 6-3.1-13 to businesses operating in a certified technology park as the result of wages earned for work in the certified technology park for the state fiscal year;

as determined by the department of state revenue."

Page 79, delete lines 33 through 38.

Re-number all SECTIONS consecutively.

(Reference is to SB 408 as reprinted February 4, 2020.)

Committee Vote: yeas 17, nays 0.

BROWN T., Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Natural Resources, to which was referred Senate Bill 433, 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, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 14-26-2.1 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]:

Chapter 2.1. Ownership of Lake Michigan in Public Trust

Sec. 1. As used in this chapter, "Lake Michigan" means:

- (1) the waters of Lake Michigan;
- (2) the land under the waters of Lake Michigan; and
- (3) the land adjoining the waters of Lake Michigan up to the ordinary high water mark;

within the boundaries of Indiana.

Sec. 2. As used in this chapter, "ordinary high water mark" means the line on the bank or shore of Lake Michigan that is:

- (1) established by the fluctuations of water; and
- (2) indicated by physical characteristics, including:
 - (A) a clear and natural line impressed on the shore;
 - (B) shelving;
 - (C) changes in character of soils;
 - (D) the destruction of terrestrial vegetation; and
 - (E) the presence of litter or debris.

Sec. 3. (a) Absent any authorized legislative conveyance before February 14, 2018, the state of Indiana owns all of Lake Michigan within the boundaries of Indiana in trust for the use and enjoyment of all citizens of Indiana.

(b) An owner of land that borders Lake Michigan does not have the exclusive right to use the water or land below the ordinary high water mark of Lake Michigan.

Sec. 4. (a) As used in this section, "natural scenic beauty" refers to conditions produced by nature without manmade additions or alterations.

(b) As used in this section, "recreational purpose" means any of the following:

- (1) Walking.
- (2) Fishing.
- (3) Boating.
- (4) Swimming.
- (5) Any other recreational purpose for which Lake Michigan is ordinarily used, as recognized by the commission for the purposes of this section.

(c) The citizens of Indiana have a vested right to:

- (1) enjoy the natural scenic beauty of Lake Michigan;
- (2) enjoy and use the natural resources of Lake Michigan; and
- (3) use Lake Michigan for recreational purposes.

(d) The citizens of Indiana have a vested right in the preservation and protection of Lake Michigan.

Sec. 5. The commission may adopt rules under IC 4-22-2 to administer this chapter."

Page 2, line 1, delete "the area in which the abode or residence is located was not" and insert "the abode or residence was constructed before January 1, 2020;"

Page 2, delete lines 2 through 25, begin a new line block indented and insert:

- "(2) the owner of the abode or residence has taken necessary measures to elevate the lowest floor of the abode or residence as reconstructed, including the basement, to at least two (2) feet above the one hundred (100) year flood elevation within two (2) years of receiving notification by the department; and
- (3) the owner of the abode or residence has taken necessary measures to comply with all applicable local, state, and federal floodway regulations.

SECTION 3. IC 14-29-1-9 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 9. The department may adopt rules under IC 4-22-2 to identify the location of the ordinary high water mark on the land adjoining the waters of Lake Michigan for purposes of administering this chapter.

SECTION 4. IC 36-1-29 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]:

Chapter 29. Seawall and Revetment Permits

Sec. 1. This chapter applies only in a county that is located along the shore of Lake Michigan.

Sec. 2. This chapter does not:

- (1) affect the determination of the location of the ordinary high water mark; or
- (2) interfere with or supersede state law, state administrative rules, or local ordinances concerning

the issuance of permits for seawalls or revetments.

Sec. 3. As used in this chapter, "emergency" means a situation that:

- (1) requires immediate action;
- (2) could not have reasonably been foreseen;
- (3) is weather induced; and
- (4) either:

(A) creates the potential for imminent structural damage to private property in an area adjacent to Lake Michigan; or

(B) threatens or creates an imminent risk to the public health, welfare, or safety in areas adjacent to Lake Michigan.

Sec. 4. As used in this chapter, "local governmental agency" has the meaning set forth in IC 36-7-4-1109(a).

Sec. 5. As used in this chapter, "ordinary high water mark" has the meaning set forth in IC 14-26-2.1-2.

Sec. 6. As used in this chapter, "owner" means a person that has a fee interest in a private property adjacent to and landward of Lake Michigan.

Sec. 7. As used in this chapter, "permit" has the meaning set forth in IC 36-7-4-1109(b).

Sec. 8. As used in this chapter, "private property" means real property that is not owned or leased by the state or a political subdivision.

Sec. 9. As used in this chapter, "real property" includes any improvements to real property.

Sec. 10. An owner of private property who is subject to the jurisdiction of a local governmental agency in a county subject to this chapter may:

- (1) subject to applicable state laws and administrative rules, local ordinances, and section 11 of this chapter, in the case of an emergency, repair an existing seawall or revetment on the owner's private property; or
- (2) subject to applicable state laws and administrative rules, local ordinances, and section 12 of this chapter, in the case of an emergency, construct a new seawall or revetment on the owner's private property; whichever applies.

Sec. 11. In accordance with applicable state laws, state administrative rules, and local ordinances, the repair of an existing seawall or revetment may not cause the seawall or revetment to be closer to the waters of Lake Michigan than it is before the owner undertakes the repair of the seawall or revetment.

Sec. 12. In accordance with applicable state laws, state administrative rules, and local ordinances, the owner of private property may construct a new seawall or revetment on the private property in a location in which the new seawall or revetment can reasonably be expected to provide protection to the property.

Sec. 13. A seawall may be contiguous to another seawall if making one (1) or more seawalls contiguous does not interfere, obstruct, or otherwise inhibit the public's ability to use a public access point or easement that provides access to the shore of Lake Michigan and all parts of the seawall are on private property.

Sec. 14. Not later than ten (10) business days after a person submits a completed application for an emergency seawall or revetment permit and meets all required conditions, a local governmental agency shall:

- (1) approve; or
- (2) deny;

the person's application for the emergency permit. If a local governmental agency does not approve or deny the emergency seawall or revetment permit within ten (10) business days, the emergency permit is automatically approved and considered issued to the person.

Sec. 15. If a local governmental agency denies the emergency seawall or revetment permit, the local governmental agency shall provide the reasons for the

denial in a single response to the person. A person may submit not more than one (1) completed reapplication for an emergency seawall or revetment permit that lists reasons why the local governmental agency should approve the person's emergency permit. Not later than ten (10) business days after the person submits the completed reapplication, a local governmental agency shall:

- (1) approve; or
- (2) deny;

the person's reapplication for the emergency permit. If a local governmental agency does not approve or deny the person's reapplication for the emergency seawall or revetment permit within ten (10) business days, the emergency permit is automatically approved and considered issued to the person.

Sec. 16. This section applies to an application for a seawall or revetment permit that is not an emergency permit. Not later than thirty (30) business days after a person submits a completed application and meets all required conditions for a seawall or revetment permit, a local governmental agency shall:

- (1) approve; or
- (2) deny;

the person's application for the permit."

Renumber all SECTIONS consecutively.

(Reference is to SB 433 as reprinted January 31, 2020.)

Committee Vote: yeas 13, nays 0.

EBERHART, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Education, to which was referred Senate Bill 455, 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 17, delete lines 5 through 6.

Page 17, between lines 11 and 12, begin a new paragraph and insert:

"SECTION 24. IC 20-26-5-40.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 40.5. (a) If a school corporation has noncontiguous attendance area that is surrounded by one (1) or more adjacent school corporations, the school corporation with the noncontiguous attendance area and school corporation or school corporations that surround the noncontiguous attendance area shall have a joint public meeting every three (3) years to determine whether it is in the best interest of the public for the school corporation to have noncontiguous attendance area. The governing bodies should consider the history of why the attendance area is noncontiguous to the rest of the attendance area of the school corporation as well as whether the community would benefit by annexing the attendance area into another school corporation.

(b) The joint meeting shall be chaired by the president of the governing body of the school corporation that surrounds the noncontiguous attendance area. If more than one (1) school corporation surrounds the noncontiguous attendance area, the meeting shall be co-chaired by the president of each school corporation that surrounds the noncontiguous attendance area."

Page 33, delete lines 29 through 42.

Page 34, delete lines 1 through 3.

Page 39, between lines 38 and 39, begin a new paragraph and insert:

"(e) A school accredited under IC 20-26-15 shall be accredited under this chapter by the earlier of the following:

- (1) The date the school's contract under IC 20-26-15 expires.

(2) July 1, 2025."

Page 40, delete lines 6 through 42.

Page 41, delete lines 1 through 17.

Page 41, line 18, delete "5." and insert "4."

Page 49, between lines 3 and 4, begin a new paragraph and insert:

"SECTION 76. IC 20-34-3-14.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 14.5. (a) The governing body of a school corporation may enter into one (1) or more agreements with one (1) or more licensed dentists or dental groups to provide a free, annual dental screening for students enrolled in the school corporation.

(b) An agreement entered into by a school corporation under subsection (a):

(1) must provide for a free, annual dental screening to be offered to each student enrolled in the school corporation in grade 1; and

(2) may, at the election of the governing body of the school corporation, provide for a free, annual dental screening to be offered to each student enrolled in the school corporation in kindergarten through grade 12.

(c) A licensed dentist or dental group with which a school corporation enters into an agreement under subsection (a) shall provide services under the agreement at no cost to the school corporation.

(d) A dental screening provided under an agreement entered into under subsection (a) must be:

(1) limited to a visual inspection; and

(2) performed by:

(A) a dental hygienist:

(i) licensed under IC 25-13; and

(ii) acting within the scope of the dental hygienist's license; or

(B) a dentist:

(i) licensed under IC 25-14; and

(ii) acting within the scope of the dentist's license.

SECTION 77. IC 20-34-3-14.6 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 14.6. (a) Subject to subsection (f), the governing body of each school corporation that enters into an agreement for the provision of dental screenings under section 14.5 of this chapter shall enter into one (1) or more agreements with one (1) or more licensed dentists or dental groups for the provision of comprehensive dental services to students enrolled in the school corporation.

(b) An agreement entered into under subsection (a) must provide for comprehensive dental services to be offered each school year:

(1) at the location of each school in the school corporation; and

(2) on as many school days as necessary to provide dental services to each student whose parent or guardian schedules the student to receive dental services under this section.

(c) Dental services provided under an agreement entered into under subsection (a) must be performed by a dentist:

(1) licensed under IC 25-14; and

(2) acting within the scope of the dentist's license.

(d) An agreement entered into under subsection (a) must provide that:

(1) the dentist or dental group shall:

(A) indemnify the school corporation from; and

(B) hold the school corporation harmless for;

all claims and liability arising from the dentist's or dental group's provision of services under the agreement; and

(2) the parent or guardian of a student:

(A) is responsible for contacting the dentist or dental group to schedule the student for dental

services provided under this section; and
 (B) is responsible to the dentist or dental group for the cost of dental services provided to the student under this section.

(e) The governing body of a school corporation that enters into an agreement for the provision of dental screenings under section 14.5 of this chapter shall provide the following information to the parent or guardian of each student enrolled in the school corporation:

(1) Contact information for the dentist or dental group that will perform the comprehensive dental services under this section.

(2) Notice that the parent or guardian is responsible for contacting the dentist or dental group to:

- (A) schedule dental services for the student;
- (B) establish payment for the services; and
- (C) provide any consent to services required by the dentist or dental group;

before the services may be provided.

(f) A school corporation that enters into an agreement for the provision of dental screenings under section 14.5 of this chapter that is unable to obtain the services of a dentist or dental group for purposes of this section may request that the state superintendent waive application of this section to the school corporation for the school year. The state superintendent may:

- (1) approve the waiver request;
- (2) deny the waiver request; or
- (3) provide whatever relief may be available to enable the school corporation to comply with this section.

A waiver granted by the state superintendent under this subsection is effective only for the duration of the school year for which the waiver is granted."

Page 60, delete lines 8 through 12, begin a new paragraph and insert:

"SECTION 100. [EFFECTIVE JULY 1, 2020] (a) Notwithstanding the repeal of IC 20-31-4 by this act, 511 IAC 6.1 shall remain in effect until the earlier of:

- (1) the date that administrative rules are adopted under IC 20-31-4.1-4; or
- (2) July 1, 2021.

(b) This SECTION expires December 31, 2021."

Renumber all SECTIONS consecutively.

(Reference is to SB 455 as reprinted February 4, 2020.)

and when so amended that said bill do pass.

Committee Vote: yeas 10, nays 2.

BEHNING, Chair

Report adopted.

Representatives Aylesworth, Huston, Speedy and Summers, who had been present, are now excused.

Representatives Baird, Morrison, Pfaff, Soliday and Ziemke, who had been excused, are now present.

**ENGROSSED SENATE BILLS
 ON SECOND READING**

Engrossed Senate Bill 179

Representative Sullivan called down Engrossed Senate Bill 179 for second reading. The bill was read a second time by title.

HOUSE MOTION
 (Amendment 179-2)

Mr. Speaker: I move that Engrossed Bill 179 be amended to read as follows:

Page 7, between lines 34 and 35, begin a new paragraph and insert:

"SECTION 4. IC 3-11-10-26.4 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS

FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 26.4. (a) This section applies to absentee voting conducted at any of the following:

(1) The office of the circuit court clerk under section 26 of this chapter.

(2) A satellite office established under section 26.3 of this chapter.

(3) A vote center established as an absentee satellite voting office under IC 3-11-18.1-4.

(4) An absentee voter board that serves as a travel board under section 25 of this chapter.

(b) As used in this section, "unit" refers to either of the following:

(1) A voting system.

(2) An electronic poll book.

(c) At the end of each day that absentee voting occurs, the absentee voting board at a location described in subsection (a) shall do all of the following:

(1) Attach a tamper-proof, numbered seal to each unit used during absentee voting.

(2) Record the number of the seal affixed to each unit.

(3) Provide a list of the units and the number of each unit's seal to the county election board.

A seal must make it impossible to access the sealed part of the unit to which the seal is attached without detection. The election division shall prescribe the form of the seal and the information that must be contained on the seal.

(d) Before the opening of absentee voting each day that it occurs, the absentee voter board shall determine, for each unit to which a seal was attached under subsection (c), that the seal attached to the unit:

(1) is intact;

(2) shows no evidence of tampering; and

(3) bears the number indicated on the list provided to the county election board by the absentee voter board.

(e) If a seal complies with subsection (d), the absentee voter board shall attest to that fact by executing a form prescribed under IC 3-5-4-8.

(f) If the absentee voter board determines that a seal does not comply with subsection (d), the absentee voter board shall immediately notify the county election board of that fact.

(g) A county election board may adopt, by unanimous vote of the entire board, a resolution to establish alternative procedures to secure units used for absentee voting under this section. To be effective, a resolution adopted under this subsection must be filed with the election division not later than noon three (3) days after the resolution is adopted by the county election board."

Page 12, between lines 14 and 15, begin a new paragraph and insert:

"SECTION 8. IC 3-11-15-61 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 61. (a) This section does not apply to an electronic poll book.

(b) A computer or electronic device used:

(1) to create the layout of a ballot for an election;

(2) to program a voting system, electronic voting system, or ballot card voting system; or

(3) with election management software certified for use as part of a voting system;

may not be connected to the Internet or any network that connects to another computer or electronic device."

Renumber all SECTIONS consecutively.

(Reference is to ESB 179 as printed February 24, 2020.)

MOSELEY

Upon request of Representatives GiaQuinta and Pryor, the Speaker ordered the roll of the House to be called. Roll Call 223: yeas 28, nays 62. Motion failed.

Representative Candelaria Reardon and Huston, who had been excused, are now present.

HOUSE MOTION
(Amendment 179-3)

Mr. Speaker: I move that Engrossed Senate Bill 179 be amended to read as follows:

Page 12, between lines 14 and 15, begin a new paragraph and insert:

"SECTION 7. IC 3-11-15-59, AS ADDED BY P.L.100-2018, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 59. (a) Whenever a county wishes to dispose of a voting system unit or an electronic poll book unit, the county election board must first file a plan with the election division. The plan must ~~state:~~ **include all of the following:**

- (1) The serial number of each unit to be disposed of by the county.
- (2) The method to be used for disposal of the equipment, including sale, transfer, or destruction of the equipment. ~~and~~
- (3) **A statement** that the disposal will occur in compliance with federal and ~~state~~ **Indiana** laws requiring the retention of election materials until the expiration of the period specified by those laws.
- (4) **A description of the procedures that will be taken to comply with subsection (b).**

(b) When disposing of a voting system unit or an electronic poll book unit, a county election board must comply with both of the following, as in effect on January 1, 2020:

- (1) The National Institute of Standards and Technology Special Publication 800-88, Revision 1.
- (2) **Guidance described in "Wiping Election Equipment before Disposal, Sale, or Destruction" approved by the Election Assistance Commission.**

(c) A county election board may, but is not required to, comply with a more recent version of the publication described in subsection (b)(1) or the guidance described in subsection (b)(2). A county election board that complies with a more recent version of the publication described in subsection (b)(1) or the guidance described in subsection (b)(2) is considered to have complied with subsection (b).

~~(b)~~ **(d) If the election division approves the proposed plan, the election division shall notify:**

- (1) the county election board, which may then dispose of the equipment; and
- (2) the voting system technical oversight program (VSTOP) (established by IC 3-11-16-2).

SECTION 8. IC 3-11-16-5, AS ADDED BY P.L.100-2018, SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 5. (a) Each county election board shall regularly provide information to the program to update the inventory of voting systems and electronic poll books maintained under section 4 of this chapter.

(b) Not later than eighty-one (81) days before the election, the county election board shall identify to the program the voting systems listed in the inventory of voting systems and electronic poll books maintained under section 4 of this chapter that will be used for absentee voting or on election day.

(c) Not later than January 31 of each year, the county election board shall certify to the secretary of state that the information set forth in the inventory regarding the voting systems and electronic poll books of the county is accurate, to the best of the knowledge and belief of the county election board.

(d) Not later than ten (10) days after a county election board:

- (1) **acquires a voting system or electronic poll books; or**
- (2) **disposes of a voting system or electronic poll book under IC 3-11-15-59;**

the county election board shall provide information to the program of the acquisition or disposal to update the inventory of voting systems and electronic poll books maintained under section 4 of this chapter and certify to the secretary of state that the information set forth in the inventory regarding the voting systems and electronic poll books of the county is accurate, to the best of the knowledge and belief of the county election board."

Renumber all SECTIONS consecutively.

(Reference is to ESB 179 as printed February 24, 2020.)

MOSELEY

Upon request of Representatives Pryor and Porter, the Speaker ordered the roll of the House to be called. Roll Call 224: yeas 28, nays 63. Motion failed.

HOUSE MOTION
(Amendment 179-1)

Mr. Speaker: I move that Engrossed Senate Bill 179 be amended to read as follows:

Page 16, between lines 35 and 36, begin a new paragraph and insert:

"SECTION 14. [EFFECTIVE UPON PASSAGE] (a) **As used in this SECTION, "relevant state officers and state agencies" refers to any of the following:**

- (1) **The governor.**
- (2) **The secretary of state.**
- (3) **The state board of finance.**
- (4) **The budget agency.**
- (5) **The budget committee.**
- (6) **The Indiana department of administration.**
- (7) **The election division.**
- (8) **Any other state agency having authority relating to election administration, budgets, finance, purchasing, or state administration.**

(b) As used in this SECTION, "vulnerable voting system" refers to a voting system that cannot provide a voter with the ability to verify the voter's votes from a paper record.

(c) As used in this SECTION, "VVPAT component" refers to a voter verifiable paper audit trail component for a vulnerable voting system.

(d) The general assembly finds the following:

- (1) **That the 2020 general election is an important election for Indiana voters and the country.**
- (2) **That it is crucial that Indiana voters have confidence in the process of casting ballots and tabulation of those ballots.**
- (3) **That the use of vulnerable voting systems in Indiana compromises the security of elections in Indiana and the confidence of voters in the results of elections.**
- (4) **That the general assembly has provided some funding to eliminate vulnerable voting systems in Indiana.**
- (5) **That the secretary of state has begun a program to eliminate vulnerable voting systems in Indiana.**
- (6) **That the funds provided may not be adequate to eliminate vulnerable voting systems in Indiana before the 2020 general election.**
- (7) **That an additional ten million dollars (\$10,000,000) would be sufficient to complete elimination of vulnerable voting systems in Indiana.**

(e) Each of the relevant state officers and state agencies shall take any of the following actions available under Indiana law to accomplish the installation of VVPAT components on vulnerable voting systems in Indiana and to replace those vulnerable voting systems that cannot be adapted to installation of VVPAT components before the 2020 general election:

- (1) **Transfer of available appropriations.**
- (2) **Augmentation of appropriations from available funds.**

- (3) Allotment of appropriations.
- (4) Use of expedited procurement methods.
- (5) Expedited approval of contracts.
- (6) Any other action permitted under Indiana law necessary to accomplish the elimination of vulnerable voting systems in Indiana before the 2020 general election.

(f) This SECTION expires January 1, 2021."

Renumber all SECTIONS consecutively.

(Reference is to ESB 179 as printed February 24, 2020.)

HAMILTON

Upon request of Representatives GiaQuinta and Porter, the Speaker ordered the roll of the House to be called. Roll Call 225: yeas 29, nays 63. Motion failed. The bill was ordered engrossed.

Engrossed Senate Bill 206

Representative Torr called down Engrossed Senate Bill 206 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Representative Aylesworth, who had been excused, is now present.

Engrossed Senate Bill 295

Representative Behning called down Engrossed Senate Bill 295 for second reading. The bill was read a second time by title.

HOUSE MOTION
(Amendment 295-3)

Mr. Speaker: I move that Engrossed Senate Bill 295 be amended to read as follows:

Page 3, between lines 37 and 38, begin a new paragraph and insert:

"SECTION 5. IC 20-30-2-3, AS ADDED BY P.L.1-2005, SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 3. (a) **Subject to section 5(b) of this chapter**, for each school year, a school corporation shall conduct at least one hundred eighty (180) student instructional days.

(b) Not later than June 15 of each school year, the superintendent of each school corporation shall certify to the department the number of student instructional days conducted during that school year.

SECTION 6. IC 20-30-2-5, AS ADDED BY P.L.1-2005, SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 5. (a) The department may grant a waiver of the penalty imposed under section 4 of this chapter for a particular number of canceled student instructional days if:

(1) the school corporation applies to the department for a waiver of the penalty imposed under section 4 of this chapter for a specific number of canceled student instructional days; and

(2) each of the particular number of student instructional days requested to be waived under this section was canceled due to extraordinary circumstances.

(b) **The department shall grant a waiver of the requirements under section 3(a) of this chapter and the penalty imposed under section 4 of this chapter for up to three (3) canceled student instructional days if the school corporation attests that the cancellations were due to adverse weather conditions that created an undue risk to students."**

Renumber all SECTIONS consecutively.

(Reference is to ESB 295 as printed February 25, 2020.)

DVORAK

Motion failed. The bill was ordered engrossed.

Representatives Negele and Vermilion, who had been present, are now excused.

Engrossed Senate Bill 334

Representative Wesco called down Engrossed Senate Bill 334 for second reading. The bill was read a second time by title.

HOUSE MOTION
(Amendment 334-6)

Mr. Speaker: I move that Engrossed Bill 334 be amended to read as follows:

Page 1, delete lines 1 through 4.

Page 9, delete lines 4 through 43.

Delete page 10.

Page 11, delete lines 1 through 26.

Renumber all SECTIONS consecutively.

(Reference is to ESB 334 as printed February 24, 2020.)

MOSELEY

Upon request of Representatives Pryor and Pierce, the Speaker ordered the roll of the House to be called. Roll Call 226: yeas 29, nays 62. Motion failed.

Representatives Schaibley, Shackelford and Wolkins, who had been present, are now excused.

Representatives Negele and Vermilion, who had been excused, are now present.

HOUSE MOTION
(Amendment 334-1)

Mr. Speaker: I move that Engrossed Senate Bill 334 be amended to read as follows:

Page 8, delete lines 39 through 42.

Page 9, delete lines 1 through 3.

(Reference is to ESB 334 as printed February 24, 2020.)

MOSELEY

Upon request of Representatives Pryor and GiaQuinta, the Speaker ordered the roll of the House to be called. Roll Call 227: yeas 28, nays 62. Motion failed.

Representatives Schaibley and Shackelford, who had been excused, are now present.

HOUSE MOTION
(Amendment 334-4)

Mr. Speaker: I move that Engrossed Senate Bill 334 be amended to read as follows:

Page 11, line 19, delete "A copy of" and insert "**However, before forwarding written notice under this subdivision, the election division must verify that the voter signed the requested cancellation of the Indiana registration.**"

Page 11, delete lines 20 through 22.

(Reference is to ESB 334 as printed February 24, 2020.)

BOY

Upon request of Representatives GiaQuinta and Pryor, the Speaker ordered the roll of the House to be called. Roll Call 228: yeas 29, nays 63. Motion failed.

HOUSE MOTION
(Amendment 334-5)

Mr. Speaker: I move that Engrossed Senate Bill 334 be amended to read as follows:

Page 11, line 4, after "voter." insert "**The county voter registration office shall place the voter's registration in inactive status if either of the following apply:**

(1) **The address confirmation notice is returned as undeliverable.**

(2) **The notice has not been returned to the county voter registration office after thirty-five (35) days after the date the notice was mailed.**

If the voter's registration is already in inactive status, the county voter registration office shall cancel the voter's registration."

(Reference is to ESB 334 as printed February 24, 2020.)

BOY

Upon request of Representatives GiaQuinta and Pryor, the Speaker ordered the roll of the House to be called. Roll Call 229: yeas 28, nays 63. Motion failed. The bill was ordered engrossed.

Engrossed Senate Bill 340

Pursuant to House Rule 143, the sponsor of Engrossed Senate Bill 340, Representative Wolkins, granted consent to the cosponsor, Representative Manning, to call the bill down for second reading. Representative Manning called down Engrossed Senate Bill 340 for second reading. The bill was read a second time by title.

HOUSE MOTION
(Amendment 340-1)

Mr. Speaker: I move that Engrossed Senate Bill 340 be amended to read as follows:

Page 8, delete lines 41 through 43.

Delete pages 9 through 12.

Renumber all SECTIONS consecutively.

(Reference is to ESB 340 as printed February 25, 2020.)

SHACKLEFORD

Upon request of Representatives Shackelford and Pierce, the Speaker ordered the roll of the House to be called. Roll Call 230: yeas 28, nays 62. Motion failed. The bill was ordered engrossed.

Engrossed Senate Bill 346

Representative Behning called down Engrossed Senate Bill 346 for second reading. The bill was read a second time by title.

HOUSE MOTION
(Amendment 346-1)

Mr. Speaker: I move that Engrossed Senate Bill 346 be amended to read as follows:

Page 4, line 2, after "representing" delete "the" and insert "**The**".

Page 4, line 3, after "by" delete "the" and insert "**The**".

Page 4, line 5, after "by" delete "the" and insert "**The**".

Page 5, delete lines 28 through 32, begin a new paragraph and insert:

"(c) The state board, in consultation with The Arc of Indiana and Indiana Council of Administrators of Special Education (ICASE), shall select one (1) or more individuals who specialize in special education who shall, in turn, be consulted with by the state board as part of the state board's oversight of the development and implementation of the Indiana's Learning Evaluation Assessment Readiness Network (ILEARN)."

Page 7, line 7, after "with" delete "the" and insert "**The**".

Page 7, line 16, delete "that explains" and insert "**and includes text-to-speech accommodation requirements for the student that explains**".

Page 7, line 22, after "meeting" insert "**or phone call**".

Page 7, line 24, after "meeting" delete "," and insert "**or phone call**".

(Reference is to ESB 346 as printed February 25, 2020.)

BEHNING

Motion prevailed. The bill was ordered engrossed.

Engrossed Senate Bill 398

Representative Jordan called down Engrossed Senate Bill 398 for second reading. The bill was read a second time by title.

HOUSE MOTION
(Amendment 398-2)

Mr. Speaker: I move that Engrossed Senate Bill 398 be amended to read as follows:

Page 2, line 5, delete "may" and insert "**shall**".

Page 2, line 9, delete "A public school that elects".

Page 2, delete lines 10 through 21.

Page 2, line 22, delete "Sec. 6." and insert "**Sec. 5.**".

Page 2, line 24, delete "may:" and insert "**may**".

Page 2, line 25, delete "(1)".

Page 2, line 26, delete "chapter; or" and insert "**chapter.**".

Page 2, delete lines 27 through 28.

Page 2, run in lines 24 through 29.

Page 2, line 35, delete "or participate in activities and services".

Page 2, line 36, delete "subsection (a)" and insert "**section 4 of this chapter**".

(Reference is to ESB 398 as printed February 25, 2020.)

THOMPSON

Upon request of Representatives Karickhoff and Wesco, the Speaker ordered the roll of the House to be called. Roll Call 231: yeas 62, nays 27. Motion prevailed. The bill was ordered engrossed.

Engrossed Senate Bill 427

Representative Zent called down Engrossed Senate Bill 427 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed Senate Bill 254

Representative Soliday called down Engrossed Senate Bill 254 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

OTHER BUSINESS ON THE SPEAKER'S TABLE

Referrals to Ways and Means

The Speaker announced, pursuant to House Rule 127, that Engrossed Senate Bill 355 had been referred to the Committee on Ways and Means.

HOUSE MOTION

Mr. Speaker: I move that Representative Schaibley be removed as first sponsor of Senate Bill 4 and Representative Kirchhofer be substituted therefor, Representative Kirchhofer be removed as cosponsor and Representative Schaibley be added as cosponsor

SCHAIBLEY

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Moseley be added as cosponsor of Engrossed Senate Bill 10.

BURTON

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Moseley be added as cosponsor of Engrossed Senate Bill 25.

FRYE

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Clere be added as cosponsor of Engrossed Senate Bill 123.

PRESSEL

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that House Rule 105.1 be suspended for the purpose of adding more than three cosponsors and that Representative Errington be added as cosponsor of Engrossed Senate Bill 146.

SCHAIBLEY

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 Soliday be added as cosponsor of Engrossed Senate Bill 177.

MANNING

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Pierce and Young be added as cosponsors of Engrossed Senate Bill 216.

BURTON

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Klinker be added as cosponsor of Engrossed Senate Bill 256.

MCNAMARA

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that House Rule 105.1 be suspended for the purpose of adding more than three cosponsors and that Representative Jordan be added as cosponsor of Engrossed Senate Bill 256.

MCNAMARA

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 Jackson be added as cosponsor of Engrossed Senate Bill 267.

PRESSEL

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Manning be added as cosponsor of Engrossed Senate Bill 340.

WOLKINS

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Soliday be added as cosponsor of Engrossed Senate Bill 343.

MANNING

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Barrett, Fleming and Manning be added as coauthors of House Resolution 20.

BACON

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Pfaff and Lauer be added as coauthors of House Concurrent Resolution 42.

GOODRICH

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Lauer, Bartels and Lindauer be added as coauthors of House Concurrent Resolution 43.

FRYE

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Pfaff be added as cosponsor of Senate Concurrent Resolution 15.

STUTZMAN

Motion prevailed.

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has passed, without amendments, Engrossed House Bills 1081, 1112, 1166, 1301 and 1370 and the same are herewith returned to the House.

JENNIFER L. MERTZ
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has passed Engrossed House Bills 1014, 1032, 1070, 1082, 1090, 1093, 1099, 1173, 1199, 1243 and 1346 with amendments and the same are herewith returned to the House for concurrence.

JENNIFER L. MERTZ
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has passed Senate Concurrent Resolution 52 and the same is herewith transmitted to the House for further action.

JENNIFER L. MERTZ
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has passed House Concurrent Resolutions 24 and 42 and the same are herewith returned to the House.

JENNIFER L. MERTZ
Principal Secretary of the Senate

On the motion of Representative Boy, the House adjourned at 3:21 p.m., this twenty-seventh day of February, 2020, until Monday, March 2, 2020, at 10:00 a.m.

BRIAN C. BOSMA
Speaker of the House of Representatives

M. CAROLINE SPOTTS
Principal Clerk of the House of Representatives