



Journal of the Senate

State of Indiana

118th General Assembly

Second Regular Session

Fourteenth Meeting Day

Thursday Afternoon

January 30, 2014

The Senate convened at 1:49 p.m., with the President of the Senate, Sue Ellspermann, in the Chair.

Prayer was offered by Pastor Seth Hon, Charity Baptist Church.

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

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

Alting	Merritt
Arnold	Miller, Patricia
Banks	Miller, Pete
Becker <input checked="" type="checkbox"/>	Mishler
Boots	Mrvan
Bray	Nugent
Breaux	Paul
Broden	Randolph
Buck	Rogers
Charbonneau	Schneider
Crider	Skinner
Delph	Smith
Eckerty	Steele
Glick	Stoops
Grooms	Tallian
Head	Taylor
Hershman	Tomes
Holdman	Walker
Hume	Waltz
Kenley	Waterman
Kruse	Wyss
Lanane	Yoder
Landske <input checked="" type="checkbox"/>	Young, M.
Leising	Young, R.
Long	Zakas

Roll Call 81: present 48; excused 2. [Note: A indicates those who were excused.] The Chair announced a quorum present. Pursuant to Senate Rule 5(d), no motion having been heard, the Journal of the previous day was considered read.

RESOLUTIONS ON FIRST READING

House Concurrent Resolution 3

House Concurrent Resolution 3, sponsored by Senator Waterman:

A CONCURRENT RESOLUTION honoring Sammy Lee Davis.

Whereas, The Medal of Honor is the highest military decoration awarded by the United States of America;

Whereas, The President of the United States, in the name of Congress, has awarded more than 3,400 Medals of Honor to our nation's bravest soldiers, sailors, airmen, Marines, and Coast Guard members since the medal's creation in 1861;

Whereas, Although the Medal of Honor was created for the Civil War, Congress made it a permanent decoration in 1863;

Whereas, There are only 78 Medal of Honor recipients living today;

Whereas, Sammy Lee Davis is one of them;

Whereas, Sammy Lee Davis was awarded the Medal of Honor for "conspicuous gallantry and intrepidity in action at the risk of his life and beyond the call of duty" while serving with the U.S. Army, 2d Battalion, 4th Artillery, 9th Infantry Division at Firebase Cudgel, Cai Lay, Republic of Vietnam on November 18, 1967;

Whereas, Private First Class Davis earned the Medal of Honor while serving as a cannoneer at a remote fire support base;

Whereas, While under heavy enemy mortar attack and a fierce ground assault, the artillery piece of Pfc. Davis and his gun crew was hit by an enemy round and the resulting blast hurled them from their weapons and blew Pfc. Davis into a foxhole;

Whereas, Returning to his weapon and ignoring repeated warning to seek cover, Pfc. Davis began firing the howitzer and was painfully injured when an enemy mortar round exploded within 20 meters of his position;

Whereas, Disregarding his injuries and inability to swim, Pfc. Davis boarded an air mattress and crossed the river separating the enemy from the fire support base to rescue three wounded comrades on the other side;

Whereas, Upon reaching the wounded men, Pfc. Davis began firing into the dense vegetation to prevent the Viet Cong from advancing;

Whereas, While the most seriously wounded soldier was transported across the river, Pfc. Davis protected the two remaining men until he could pull them across the river to the fire support base;

Whereas, Suffering from painful wounds, Pfc. Davis refused medical attention and joined another howitzer crew to fire at the large Viet Cong force until it fled; and

Whereas, Bravery in the service of your country merits special recognition, and it is fitting that the recipients of the nation's highest military decoration be honored and remembered for the role they played in making the world safe for future generations: 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 wishes to acknowledge the great bravery and sacrifice made by Sammy Lee Davis in the defense of his country during the time of war by placing the appropriate signage at each of the entrances of Indiana State Road 46 and U.S. Route 231 into Owen County to honor his great bravery in the face of overwhelming danger.

SECTION 2. That the Principal Clerk of the House of Representatives transmit a copy of this resolution to Sammy Lee Davis and his family.

The resolution was read in full and referred to the Committee on Homeland Security, Transportation and Veterans Affairs.

REPORTS FROM COMMITTEES

COMMITTEE REPORT

Madam President: The Senate Committee on Homeland Security, Transportation and Veterans Affairs, to which was referred Senate Concurrent Resolution 8, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said resolution do pass. Committee Vote: Yeas 9, Nays 0.

WYSS, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Public Policy, to which was referred Senate Bill 18, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 1, delete lines 1 through 16.
 Page 2, delete lines 1 through 22.
 Page 2, line 34, reset in roman "by the bottle or glass".
 Page 2, line 34, delete "for consumption".
 Page 3, line 12, delete "for consumption".
 Page 3, line 32, delete "for consumption".
 Page 4, delete lines 4 through 42.
 Delete page 5.
 Renumber all SECTIONS consecutively.
 (Reference is to SB 18 as introduced.)
 and when so amended that said bill do pass.

Committee Vote: Yeas 8, Nays 0.

ALTING, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Judiciary, to which was referred Senate Bill 40, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Delete the title and insert the following:
 A BILL FOR AN ACT concerning civil procedure.

Delete everything after the enacting clause and insert the following:

SECTION 1. [EFFECTIVE JULY 1, 2014] **(a) As used in this SECTION, "commission" refers to the commission on courts established by IC 33-23-10-1.**

(b) The general assembly urges the legislative council to assign to the commission or another appropriate study committee the task of studying the nonparty defense, with particular emphasis on whether a defendant should be permitted to assert a nonparty defense if an Indiana statute grants the nonparty immunity from liability.

(c) If the commission or another appropriate committee is assigned the topic described in subsection (b), the commission or committee shall issue to the legislative council a final report containing the commission's or committee's findings and recommendations, including any recommended legislation concerning the topic, in an electronic format under IC 5-14-6 not later than November 1, 2014.

(d) This SECTION expires January 1, 2015.

(Reference is to SB 40 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 8, Nays 0.

STEELE, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Corrections and Criminal Law, to which was referred Senate Bill 52, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 3, line 38, after "Sec. 15." insert "(a)".

Page 3, line 39, delete "2,".

Page 3, line 39, delete "7,8,9,".

Page 4, between lines 3 and 4, begin a new paragraph and insert:

"(b) A person who knowingly or intentionally violates section 2, 7, 8, or 9 of this chapter commits a Class C misdemeanor."

Page 4, line 24, after "Sec. 12." insert "(a)".

Page 4, line 25, delete "7, 8,".

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

"(b) A person who knowingly or intentionally violates section 7 or 8 of this chapter commits a Class C misdemeanor."

Page 5, line 4, after "Sec. 12." insert "(a)".

Page 5, line 5, delete "3,".

Page 5, between lines 11 and 12, begin a new paragraph and insert:

"(b) A person who knowingly or intentionally violates section 3 of this chapter commits a Class C misdemeanor."

Page 6, line 5, after "Sec. 11." insert "(a)".

Page 6, line 6, delete "2.5, 5, or 7" and insert "5".

Page 6, between lines 9 and 10, begin a new paragraph and insert:

"(b) A person who knowingly or intentionally violates section 2.5 or 7 of this chapter commits a Class A misdemeanor."

Page 6, line 12, after "Sec. 28." insert "(a)".

Page 6, line 13, delete "5,".

Page 6, line 13, delete "22,".

Page 6, between lines 19 and 20, begin a new paragraph and insert:

"(b) A person who knowingly or intentionally violates section 5 or 22 of this chapter commits a Class C misdemeanor."

Page 7, line 10, after "Sec. 7." insert "(a)".

Page 7, line 11, delete "1, 5, or 6" and insert "1 or 6".

Page 7, between lines 17 and 18, begin a new paragraph and insert:

"(b) A person who knowingly or intentionally violates section 5 of this chapter commits a Class C misdemeanor."

Page 10, line 19, after "who" insert "knowingly or intentionally".

Page 10, line 20, delete "infraction." and insert "misdemeanor."

Page 10, delete lines 21 through 35, begin a new paragraph and insert:

"(b) A person who knowingly or intentionally violates section 12 of this chapter commits a Class A misdemeanor.

(c) A person who fails to procure or violates the terms of a permit issued under:

(1) section 15 of this chapter; or

(2) section 16 of this chapter;

commits a Class A infraction. Notwithstanding IC 34-28-5-4, a judgment for a Class A infraction imposed under this section may not exceed five thousand dollars (\$5,000)."

Page 11, delete lines 21 through 31, begin a new paragraph and insert:

"SECTION 45. IC 14-22-38-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 3. (a) A person who takes a deer or a wild turkey in violation of this article commits a Class B misdemeanor infraction. However, the offense is a Class A misdemeanor if the person has a prior conviction under:

(1) IC 14-2-3-8(c) (repealed); or

(2) this section.

(b) A person who:

(1) knowingly or intentionally takes a deer or a wild

turkey in violation of this article; and

(2) has a prior conviction or adjudication under this section within the previous ten (10) years; commits a Class C misdemeanor."

Page 16, delete lines 5 through 9, begin a new paragraph and insert:

"SECTION 68. IC 14-34-10-6 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 6. A person who does not comply with section 2 or 3 of this chapter is liable for a civil penalty under IC 14-34-16."

Page 20, between lines 29 and 30, begin a new line block indented and insert:

"IC 14-22-6-2 (Concerning hunting and fishing).

IC 14-22-6-7 (Concerning hunting and fishing).

IC 14-22-6-8 (Concerning hunting and fishing).

IC 14-22-6-9 (Concerning hunting and fishing).

IC 14-22-9-7 (Concerning fishing).

IC 14-22-9-8 (Concerning fishing)."

Page 20, between lines 30 and 31, begin a new line block indented and insert:

"IC 14-22-10-3 (Concerning hunting and fishing).

IC 14-22-13-2.5 (Concerning commercial fishing licenses).

IC 14-22-13-7 (Concerning commercial fishing licenses)."

Page 20, between lines 35 and 36, begin a new line block indented and insert:

"IC 14-22-14-5 (Concerning fishing licenses).

IC 14-22-14-22 (Concerning fishing licenses).

IC 14-22-19-5 (Concerning furbearing mammals).

IC 14-22-34-9 (Concerning nongame species).

IC 14-22-34-12 (Concerning nongame species)."

Page 20, reset in roman line 38.

Re-number all SECTIONS consecutively.

(Reference is to SB 52 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 8, Nays 0.

M. YOUNG, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Judiciary, to which was referred Senate Bill 60, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Delete the title and insert the following:

A BILL FOR AN ACT concerning courts and court officers.

Delete everything after the enacting clause and insert the following:

SECTION 1. [EFFECTIVE JULY 1, 2014] (a) As used in this SECTION, "commission" refers to the commission on courts established by IC 33-23-10-1.

(b) The general assembly urges the legislative council to assign to the commission or another appropriate study committee the task of studying judicial mandates, with

particular emphasis on court representation and the payment of attorneys fees.

(c) If the commission or another appropriate committee is assigned the topic described in subsection (b), the commission or committee shall issue to the legislative council a final report containing the commission's or committee's findings and recommendations, including any recommended legislation concerning the topic, in an electronic format under IC 5-14-6, not later than November 1, 2014.

(d) This SECTION expires January 1, 2015.

(Reference is to SB 60 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 0, Nays 0.

STEELE, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Judiciary, to which was referred Senate Bill 64, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

Committee Vote: Yeas 7, Nays 0.

STEELE, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Homeland Security, Transportation and Veterans Affairs, to which was referred Senate Bill 85, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

Committee Vote: Yeas 8, Nays 0.

WYSS, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Public Policy, to which was referred Senate Bill 88, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 1, line 14, delete "." and insert ";

who have expertise in determining insanity."

(Reference is to SB 88 as printed January 15, 2014.)

and when so amended that said bill do pass.

Committee Vote: Yeas 9, Nays 0.

ALTING, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Education and Career Development, to which was referred Senate Bill 91, has had the same under consideration and begs leave to report the

same back to the Senate with the recommendation that said bill be amended as follows:

Page 1, line 15, strike "(b) Notwithstanding section 14 of this chapter,".

Page 2, line 7, delete "academic standards adopted by the state board after".

Page 2, delete lines 8 through 10.

Page 2, line 11, strike "(c)" insert "**(b)**".

Page 2, line 12, after "standards." insert "**Educational standards adopted before July 1, 2014, are void on the earlier of July 1, 2014, or the date academic standards are adopted under this subsection."**

Page 4, line 7, delete "(d)" and insert "**(c)**".

Page 4, line 14, delete "Before July 1, 2014," and insert "**During the 2015-2016 school year,"**

Page 4, line 15, delete "(e)" and insert "**(d)**".

Page 4, lines 15, delete ", for school years".

Page 4, line 16, delete "beginning after June 30, 2016,".

Page 4, line 19, delete "(c)" and insert "**(b)**".

Page 4, line 20, delete "(e)" and insert "**(d)**".

Page 4, line 27, delete "(f)" and insert "**(e)**".

(Reference is to SB 91 as printed January 24, 2014.)

and when so amended that said bill do pass.

Committee Vote: Yeas 8, Nays 3.

KRUSE, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Local Government, to which was referred Senate Bill 104, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 2, line 23, delete "except as" and insert "**except:**

(A) as expressly granted by statute; or

(B) if IC 36-1-8-17.7 applies to the political subdivision, in accordance with the procedure set forth in IC 36-1-8-17.7."

Page 2, delete line 24.

Page 2, after line 31, begin a new paragraph and insert:

"SECTION 2. IC 36-1-8-17.7 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: **Sec. 17.7. (a) This section applies to a political subdivision:**

(1) that was established by another political subdivision; and

(2) for which there is no process or procedure expressly specified by law regarding the dissolution of the political subdivision.

(b) A political subdivision described in subsection (a) may be dissolved in the following manner:

(1) The political subdivision described in subsection (a) may be dissolved as provided in this section only by the political subdivision that established the political subdivision described in subsection (a).

(2) The legislative body of the political subdivision that established the political subdivision described in

subsection (a) must adopt a preliminary resolution stating the intent of the legislative body to dissolve the political subdivision described in subsection (a).

(3) The legislative body that established the political subdivision described in subsection (a) must hold a separate public meeting regarding the proposed dissolution of the political subdivision described in subsection (a). Notice of the meeting shall be given in accordance with IC 5-3-1. The legislative body must hold the public meeting:

(A) except as provided in clause (B), at least ninety (90) days after adopting the preliminary resolution under subdivision (2); or

(B) at least one hundred eighty (180) days after adopting the preliminary resolution under subdivision (2), in the case of the proposed dissolution of a political subdivision described in subsection (a) that has been in existence for at least ten (10) years.

(4) At least ten (10) days before the public meeting under subdivision (3), the legislative body that established the political subdivision described in subsection (a) must make available to the public a plan regarding the proposed dissolution. If the legislative body maintains an Internet web site or an Internet web site is maintained on behalf of the legislative body, a copy of the plan must be posted on the Internet web site at least ten (10) days before the public meeting under subdivision (3).

(5) The plan regarding the proposed dissolution must specify the following:

(A) The effective date of the dissolution.

(B) A description of the assets and obligations of the political subdivision described in subsection (a) and a proposal regarding the distribution of those assets and the satisfaction of those obligations.

(C) A description of the services currently provided by the political subdivision described in subsection (a) and (if applicable) an explanation of how those services will be provided after the dissolution of the political subdivision described in subsection (a).

(6) At the public meeting under subdivision (3), the legislative body shall allow the public an opportunity to testify and comment upon the proposed dissolution.

(7) At the public meeting under subdivision (3), the legislative body may adopt an ordinance (in the case of the legislative body of a county or municipality) or a resolution (in the case of the legislative body of any other political subdivision) dissolving the political subdivision described in subsection (a) as provided in the plan described in subdivision (5)."

Renumber all SECTIONS consecutively.

(Reference is to SB 104 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 8, Nays 0.

HEAD, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Judiciary, to which was referred Senate Bill 109, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

Committee Vote: Yeas 6, Nays 1.

STEELE, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Corrections and Criminal Law, to which was referred Senate Bill 169, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

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

"SECTION 1. IC 35-43-4-2, AS AMENDED BY P.L.158-2013, SECTION 463, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 2. (a) A person who knowingly or intentionally exerts unauthorized control over property of another person, with intent to deprive the other person of any part of its value or use, commits theft, a Class A misdemeanor. However, the offense is:

(1) a Level 6 felony if:

(A) the value of the property is at least seven hundred fifty dollars (\$750) and less than fifty thousand dollars (\$50,000);

(B) the property is a firearm; or

~~(B)~~ (C) the person has a prior unrelated conviction for:

(i) theft under this section; or

(ii) criminal conversion under section 3 of this chapter; and

(2) a Level 5 felony if:

(A) the value of the property is at least fifty thousand dollars (\$50,000); or

(B) the property that is the subject of the theft is a valuable metal (as defined in IC 25-37.5-1-1) and:

(i) relates to transportation safety;

(ii) relates to public safety; or

(iii) is taken from a hospital or other health care facility, telecommunications provider, public utility (as defined in IC 32-24-1-5.9(a)), or key facility;

and the absence of the property creates a substantial risk of bodily injury to a person.

(b) In determining the value of property under this section, acts of theft committed in a single episode of criminal conduct (as defined in IC 35-50-1-2(b)) may be charged in a single count.

(c) For purposes of this section, "the value of property" means:

(1) the fair market value of the property at the time and place the offense was committed; or

(2) if the fair market value of the property cannot be satisfactorily determined, the cost to replace the property within a reasonable time after the offense was committed.

A price tag or price marking on property displayed or offered for

sale constitutes prima facie evidence of the value of the property.

SECTION 2. IC 35-47-2-7, AS AMENDED BY P.L.158-2013, SECTION 577, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 7. (a) Except an individual acting within a parent-minor child or guardian-minor protected person relationship or any other individual who is also acting in compliance with IC 35-47-10 (**governing children and firearms**), a person may not sell, give, or in any other manner transfer the ownership or possession of a handgun or assault weapon to any person under eighteen (18) years of age.

(b) It is unlawful for a person to sell, give, or in any manner transfer A person who knowingly or intentionally sells, gives, or in any other manner transfers the ownership or possession of a handgun to another person who the person **knows or** has reasonable cause to believe:

(1) has been:

(A) convicted of a felony; or

(B) adjudicated a delinquent child for an act that would be a felony if committed by an adult; if the person seeking to obtain ownership or possession of the handgun is less than twenty-three (23) years of age;

(2) is a drug abuser;

(3) is an alcohol abuser; or

(4) is mentally incompetent;

(1) is ineligible for any reason other than the person's age to purchase or otherwise receive from a dealer a handgun; or

(2) intends to use the handgun to commit a crime;

commits criminal transfer of a handgun, a Level 5 felony. However, the offense is a Level 2 felony if a person uses the handgun to commit murder (IC 35-42-1-1).

(c) A person who knowingly or intentionally violates this section commits a Level 5 felony. A person who purchases a handgun with the intent to:

(1) resell or otherwise provide the handgun to another person who the person knows or has reasonable cause to believe is ineligible for any reason to purchase or otherwise receive from a dealer a handgun;

(2) resell or otherwise provide the handgun to another person who the person knows or has reasonable cause to believe intends to use the handgun to commit a crime; or

(3) transport the handgun outside Indiana to be resold or otherwise provided to another person who the transferor knows or has reasonable cause to believe:

(A) is ineligible to purchase or otherwise receive a handgun; or

(B) intends to use the handgun to commit a crime; commits the straw purchase of a handgun, a Level 5 felony. However, the offense is a Level 2 felony if a person uses the handgun to commit murder (IC 35-42-1-1)."

Page 2, delete lines 5 through 42, begin a new paragraph and insert:

"SECTION 3. IC 35-47-2.5-14 IS REPEALED [EFFECTIVE JULY 1, 2014]. Sec. 14: (a) This section does not apply to a person who provides a handgun to the following:

(1) A child who is attending a hunters safety course or a firearms safety course or an adult who is supervising the

child during the course:

(2) A child engaging in practice in using a firearm for target shooting at an established range or in an area where the discharge of a firearm is not prohibited or is supervised by:

(A) a qualified firearms instructor; or

(B) an adult who is supervising the child while the child is at the range:

(3) A child engaging in an organized competition involving the use of a firearm or participating in or practicing for a performance by an organized group under Section 501(c)(3) of the Internal Revenue Code that uses firearms as a part of a performance or an adult who is involved in the competition or performance:

(4) A child who is hunting or trapping under a valid license issued to the child under IC 14-22:

(5) A child who is traveling with an unloaded firearm to or from an activity described in this section:

(6) A child who:

(A) is on real property that is under the control of the child's parent, an adult family member of the child, or the child's legal guardian; and

(B) has permission from the child's parent or legal guardian to possess a firearm:

(b) A person who purchases a handgun with the intent to:

(1) resell or otherwise provide the handgun to another person who the person knows or has reason to believe is ineligible for any reason to purchase or otherwise receive from a dealer a handgun; or

(2) transport the handgun out of the state to be resold or otherwise provided to another person who the transferor knows is ineligible to purchase or otherwise receive a firearm;

commits a Level 6 felony:

(c) If the violation of this section involves a transfer of more than one (1) handgun, the offense is a Level 5 felony:

SECTION 4. IC 35-47-2.5-15 IS REPEALED [EFFECTIVE JULY 1, 2014]. Sec. 15: (a) A person who is ineligible to purchase or otherwise receive or possess a handgun in Indiana who knowingly or intentionally solicits, employs, or assists any person in violating section 14 of this chapter commits a Level 6 felony:

(b) If the violation involves a transfer of more than one (1) handgun, the offense is a Level 5 felony:"

Page 3, delete lines 1 through 4.

Page 3, line 8, delete "provides a firearm to the following:" and insert "**complies with IC 35-47-10 (governing children and firearms).**"

Page 3, delete lines 9 through 33.

Page 3, line 35, delete "reason" and insert "**reasonable cause**".

Page 3, line 37, delete "due to the commission of a crime" and insert "**for any reason other than the person's age**".

Page 3, line 39, delete "Level 6" and insert "**Level 5**".

Page 3, line 39, after "felony." insert "**However, the offense is a Level 2 felony if a person uses the firearm to commit murder (IC 35-42-1-1).**".

Page 3, delete lines 40 through 42, begin a new paragraph and insert:

"SECTION 6. IC 35-47-10-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 1. **(a) This section does not apply to section 7 of this chapter.**

(b) Except as provided in subsection (c), this chapter does not apply to the following:

(1) A child who is attending a hunters safety course or a firearms safety course or an adult who is supervising the child during the course.

(2) A child engaging in practice in using a firearm for target shooting at an established range or in an area where the discharge of a firearm is not prohibited or supervised by:

(A) a qualified firearms instructor; or

(B) an adult who is supervising the child while the child is at the range.

(3) A child engaging in an organized competition involving the use of a firearm or participating in or practicing for a performance by an organized group under Section 501(c)(3) of the Internal Revenue Code that uses firearms as a part of a performance or an adult who is involved in the competition or performance.

(4) A child who is hunting or trapping under a valid license issued to the child under IC 14-22.

(5) A child who is traveling with an unloaded firearm to or from an activity described in this section.

(6) A child who:

(A) is on real property that is under the control of the child's parent, an adult family member of the child, or the child's legal guardian; and

(B) has permission from the child's parent or legal guardian to possess a firearm.

(7) A child who:

(A) is at the child's residence; and

(B) has the permission of the child's parent, an adult family member of the child, or the child's legal guardian to possess a firearm.

(c) This chapter applies to a child, and to a person who provides a firearm to a child, if the child:

(1) is ineligible to purchase or possess a firearm for any reason other than the child's age; or

(2) if the child intends to use a firearm to commit a crime.

SECTION 7. IC 35-47-10-5, AS AMENDED BY P.L.158-2013, SECTION 602, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 5. **(a) A child who knowingly, intentionally, or recklessly**

(1) possesses a firearm for any purpose other than a purpose described in section 1 of this chapter or

(2) provides a firearm to another child with or without remuneration for any purpose other than a purpose described in section 1 of this chapter;

commits dangerous possession of a firearm, a Class A misdemeanor. However, the offense is a Level 5 felony if the child has a prior conviction under this section or has been adjudicated a delinquent for an act that would be an offense under this section if committed by an adult.

(b) A child who knowingly or intentionally provides a firearm to another child whom the child knows or has reasonable cause to believe:

(1) is ineligible for any reason to purchase or otherwise receive from a dealer a firearm; or

(2) intends to use the firearm to commit a crime;

commits a Level 5 felony. However, the offense is a Level 2 felony if a person uses the firearm to commit murder (IC 35-42-1-1).

SECTION 8. IC 35-47-10-6, AS AMENDED BY P.L.158-2013, SECTION 603, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 6. An adult who knowingly or intentionally or recklessly provides a firearm to a child for any purpose other than those described in section 1 of this chapter, with or without remuneration, whom the adult knows or has reasonable cause to believe:

(1) is ineligible for any reason to purchase or otherwise receive from a dealer a firearm; or

(2) intends to use the firearm to commit a crime;

commits dangerous control of a firearm, a Level 5 felony. However, the offense is a Level 4 felony if the adult has a prior conviction under this section, **and a Level 2 felony if a person, including the child, uses the firearm to commit murder (IC 35-42-1-1).**

SECTION 9. IC 35-47-10-7, AS AMENDED BY P.L.158-2013, SECTION 604, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 7. A child's parent or legal guardian who knowingly, intentionally, or recklessly permits the child to possess a firearm:

(1) while:

(A) aware of a substantial risk that the child will use the firearm to commit a felony; and

(B) failing to make reasonable efforts to prevent the use of a firearm by the child to commit a felony; or

(2) when the child has been convicted of a crime of violence or has been adjudicated as a juvenile for an offense that would constitute a crime of violence if the child were an adult;

commits dangerous control of a child, a Level 5 felony. However, the offense is a Level 4 felony if the child's parent or legal guardian has a prior conviction under this section, **and a Level 2 felony if a person uses the firearm to commit murder (IC 35-42-1-1).**

SECTION 10. IC 35-50-2-11, AS AMENDED BY P.L.158-2013, SECTION 665, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 11. (a) As used in this section, "firearm" has the meaning set forth in IC 35-47-1-5.

(b) As used in this section, "offense" means:

(1) a felony under IC 35-42 that resulted in death or serious bodily injury;

(2) kidnapping; or

(3) criminal confinement as a Level 2 or Level 3 felony.

(c) The state may seek, on a page separate from the rest of a charging instrument, to have a person who allegedly committed an offense sentenced to an additional fixed term of imprisonment if the state can show beyond a reasonable doubt that the person knowingly or intentionally used a firearm in the commission of

the offense.

(d) If the person was convicted of the offense in a jury trial, the jury shall reconvene to hear evidence in the enhancement hearing. If the trial was to the court, or the judgment was entered on a guilty plea, the court alone shall hear evidence in the enhancement hearing.

(e) If the jury (if the hearing is by jury) or the court (if the hearing is to the court alone) finds that the state has proved beyond a reasonable doubt that the person knowingly or intentionally used a firearm in the commission of the offense, the court may sentence the person to an additional fixed term of imprisonment of ~~five (5)~~ **between ten (10) and twenty (20)** years."

Delete pages 4 through 5.

Renumber all SECTIONS consecutively.

(Reference is to SB 169 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 8, Nays 1.

M. YOUNG, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Corrections and Criminal Law, to which was referred Senate Bill 170, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 5, delete lines 6 through 40, begin a new paragraph, and insert:

"SECTION 3. IC 35-31.5-2-186.2 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: **Sec. 186.2. "Lawful supervision", for purposes of IC 35-44.1-3-10, has the meaning set forth in IC 35-44.1-3-10.**

SECTION 4. IC 35-44.1-3-10, AS AMENDED BY P.L.158-2013, SECTION 516, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 10. (a) ~~As used in this section;~~ **The following definitions apply throughout this section:**

(1) "Lawful supervision" means supervision by:

(A) the department of correction;

(B) a court;

(C) a probation department;

(D) a community corrections program, a community transition program, or another similar program; or

(E) parole.

(2) "Service provider" means:

(A) with respect to a person subject to lawful detention:

(i) a public servant; ~~or other~~

(ii) a person employed by a governmental entity; or ~~another~~

(iii) a person who provides goods or services to a person who is subject to lawful detention; **and**

(B) with respect to a person subject to lawful supervision:

(i) a public servant whose official duties include the supervision of the person subject to lawful supervision;

(ii) a person employed by a governmental entity to provide supervision for the person subject to lawful supervision; or

(iii) a person who is employed by or contracts with a governmental entity to provide treatment or other services to the person subject to lawful supervision as a condition of the person's lawful supervision.

(b) A service provider who knowingly or intentionally engages in sexual intercourse or other sexual conduct (as defined in IC 35-31.5-2-221.5) with a person who is subject to lawful detention **or lawful supervision** commits sexual misconduct, a Level 5 felony.

(c) A service provider at least eighteen (18) years of age who knowingly or intentionally engages in sexual intercourse or other sexual conduct (as defined in IC 35-31.5-2-221.5) with a person who is:

(1) less than eighteen (18) years of age; and

(2) subject to lawful detention **or lawful supervision**; commits sexual misconduct, a Level 4 felony.

(d) It is not a defense that an act described in subsection (b) or (c) was consensual.

(e) This section does not apply to sexual intercourse or other sexual conduct (as defined in IC 35-31.5-2-221.5) between spouses."

(Reference is to SB 170 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 9, Nays 0.

M. YOUNG, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Corrections and Criminal Law, to which was referred Senate Bill 171, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Delete everything after the enacting clause and insert the following:

SECTION 1. IC 11-12-2-4, AS AMENDED BY P.L.105-2010, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 4. (a) A county or group of counties seeking financial aid under this chapter must apply to the commissioner in a manner and form prescribed by the commissioner. The application must include a community corrections plan that has been approved by the community corrections board and the county executive or, in a county having a consolidated city, by the city-county council. No county may receive financial aid until its application is approved by the commissioner.

(b) A community corrections plan must comply with rules adopted under section 5 of this chapter and must include:

(1) a description of each program for which financial aid is sought;

- (2) the purpose, objective, administrative structure, staffing, and duration of the program;
- (3) a method to evaluate each component of the program to determine the overall use of department approved best practices for the program;
- (4) the program's total operating budget, including all other sources of anticipated income;
- (5) the amount of community involvement and client participation in the program;
- (6) the location and description of facilities that will be used in the program; ~~and~~
- (7) the manner in which counties that jointly apply for financial aid under this chapter will operate a coordinated community corrections program; ~~and~~
- (8) a plan of collaboration between the probation department and the community corrections program for the provision of community supervision for adult offenders. The community supervision collaboration plan must be submitted to the department and the Indiana judicial center by July 1, 2017, and must include:**

- (A) a description of the evidence based services provided to felony offenders by the community corrections program and the probation department;**
- (B) the manner in which the community corrections program and the probation department intend to reduce the duplication of services to offenders under community supervision;**
- (C) the manner in which the community corrections program and the probation department intend to coordinate operations and collaborate on the supervision of adult felony offenders;**
- (D) the eligibility criteria established for community based services provided to adult felony offenders;**
- (E) the criteria for using the community corrections program as an intermediate sanction for an offender's violation of probation conditions;**
- (F) a description of how financial aid from the department, program fees, and probation user fees will be used to provide services to adult felony offenders; and**
- (G) documentary evidence of compliance with department rules for community corrections programs and judicial conference of Indiana standards for probation departments.**

(c) A community corrections plan must be annually updated, approved by the county executive or, in a city having a consolidated city, by the city-county council, and submitted to the commissioner.

(d) No amendment to or substantial modification of an approved community corrections plan may be placed in effect until the department and county executive, or in a county having a consolidated city, the city-county council, have approved the amendment or modification.

(e) A copy of the final plan as approved by the department shall be made available to the board in a timely manner.

(f) The commissioner may, subject to availability of funds, give priority in issuing additional financial aid to counties

with a community supervision collaboration plan approved by the department and the Indiana judicial center. The additional financial aid may be used for any evidence based service or program in the approved plan.

SECTION 2. IC 11-13-1-9 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 9. (a) The judicial conference of Indiana shall:

- (1) keep informed of the work of all probation departments;
- (2) compile and publish statistical and other information that may be of value to the probation service;
- (3) inform courts and probation departments of legislation concerning probation and of other developments in probation; ~~and~~
- (4) submit to the general assembly before January 15 of each year a report in an electronic format under IC 5-14-6 compiling the statistics provided to the judicial conference by probation departments under section 4(b) of this chapter; ~~and~~
- (5) require probation departments to submit a community supervision collaboration plan as described in IC 11-12-2-4.**

(b) The conference may:

- (1) visit and inspect any probation department and confer with probation officers and judges administering probation; and
- (2) require probation departments to submit periodic reports of their work on forms furnished by the conference.

(Reference is to SB 171 as introduced.)
and when so amended that said bill do pass.

Committee Vote: Yeas 8, Nays 1.

M. YOUNG, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Local Government, to which was referred Senate Bill 174, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

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

"SECTION 1. IC 36-7-4-605 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 605. (a) ADVISORY—AREA. A proposed zoning ordinance shall be certified to each participating legislative body by the plan commission as follows:

- (1) If the proposal is to adopt an initial zoning ordinance (or to adopt a replacement zoning ordinance after repealing the entire zoning ordinance, including amendments and zone maps) under section 606 of this chapter, it may be certified only if it receives a favorable recommendation from the commission.
- (2) If the proposal is to amend or partially repeal the text (not zone maps) of the ordinance under section 607 of this chapter, it may be certified with a favorable recommendation, an unfavorable recommendation, or no recommendation from the commission.

(3) If the proposal is to change the zone maps incorporated by reference into the ordinance under section 608 of this chapter, it may be certified with a favorable recommendation, an unfavorable recommendation, or no recommendation from the commission.

(b) METRO. **Except as provided in subsection (c)**, a proposal shall be certified to the legislative body by the metropolitan development commission only if it receives a favorable recommendation from the commission.

(c) METRO. **A proposal to change the zone maps incorporated by reference into the ordinance under section 608 of this chapter shall be certified to the legislative body by the metropolitan development commission regardless of whether the proposal receives a favorable recommendation, an unfavorable recommendation, or no recommendation from the commission.**

(d) The legislative body shall consider the recommendation (if any) of the commission before acting on the proposal under section 606, 607, or 608 of this chapter.

SECTION 2. IC 36-7-4-608 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 608. (a) This section applies to a proposal, as described in section 602(c) of this chapter, to change the zone maps incorporated by reference into the zoning ordinance.

(b) If the proposal is not initiated by the plan commission, it must be referred to the commission for consideration and recommendation before any final action is taken by the legislative body. On receiving or initiating the proposal, the commission shall, within sixty (60) days, hold a public hearing in accordance with section 604 of this chapter. Within ten (10) business days after the commission determines its recommendation (if any), the commission shall certify the proposal under section 605 of this chapter.

(c) METRO. This subsection applies if the proposal receives a favorable recommendation, **an unfavorable recommendation, or no recommendation** from the plan commission:

(1) At the first regular meeting of the legislative body after the proposal is certified under section 605 of this chapter, the legislative body may, by a majority of those voting, schedule the proposal for a hearing on a date not later than its next regular meeting. **The legislative body member in whose district the parcel of real property under consideration is located may submit a request to the president of the legislative body that the proposal be considered under this subsection.**

(2) If the legislative body fails to schedule the proposal for a hearing under subdivision (1), the ordinance takes effect as if it had been adopted at the first regular meeting of the legislative body after the proposal is certified under section 605 of this chapter.

(3) For purposes of this subdivision, the final action date for a proposal is the date thirty (30) days after the date that the proposal is certified under section 605 of this chapter, or the date of the second regular meeting after the proposal is certified under section 605 of this chapter, whichever is later. If the legislative body schedules the proposal for a hearing under subdivision (1) but fails to act on it by the final action date, the ordinance takes effect as if it had been

adopted (as certified) on the final action date. However, the period of time from certification under section 605 of this chapter to the final action date may be extended by the legislative body, with the consent of the initiating plan commission or the petitioning property owners. If the legislative body fails to act on the proposal by the final action date (as extended), the ordinance takes effect as if it had been adopted (as certified) on that extended final action date.

(4) If the legislative body schedules the proposal for a hearing under subdivision (1), it shall announce the hearing during a meeting and enter the announcement in its memoranda and minutes. The announcement must state:

(A) the date, time, and place of the hearing;

(B) a description of the proposed changes in the zone maps;

(C) that written objections to the proposal filed with the clerk of the legislative body or with the county auditor will be heard; and

(D) that the hearing may be continued from time to time as may be found necessary.

(5) If the legislative body rejects the proposal at a hearing scheduled under subdivision (1), it is defeated.

(d) METRO. The plan commission may adopt a rule to limit further consideration, for up to one (1) year after its defeat, of a proposal that is defeated under subsection (c)(5).

(e) ADVISORY—AREA. The legislative body shall vote on the proposal within ninety (90) days after the plan commission certifies the proposal under section 605 of this chapter.

(f) ADVISORY—AREA. This subsection applies if the proposal receives a favorable recommendation from the plan commission:

(1) At the first regular meeting of the legislative body after the proposal is certified under section 605 of this chapter (or at any subsequent meeting within the ninety (90) day period), the legislative body may adopt or reject the proposal. The legislative body shall give notice under IC 5-14-1.5-5 of its intention to consider the proposal at that meeting.

(2) If the legislative body adopts (as certified) the proposal, it takes effect as other ordinances of the legislative body.

(3) If the legislative body rejects the proposal, it is defeated.

(4) If the legislative body fails to act on the proposal within ninety (90) days after certification, the ordinance takes effect as if it had been adopted (as certified) ninety (90) days after certification.

(g) ADVISORY—AREA. This subsection applies if the proposal receives either an unfavorable recommendation or no recommendation from the plan commission:

(1) At the first regular meeting of the legislative body after the proposal is certified under section 605 of this chapter (or at any subsequent meeting within the ninety (90) day period), the legislative body may adopt or reject the proposal. The legislative body shall give notice under IC 5-14-1.5-5 of its intention to consider the proposal at that meeting.

(2) If the legislative body adopts (as certified) the proposal, it takes effect as other ordinances of the legislative body.

(3) If the legislative body rejects the proposal, it is defeated.

(4) If the legislative body fails to act on the proposal within ninety (90) days after certification, it is defeated.

(h) ADVISORY—AREA. The plan commission may adopt a rule to limit further consideration, for up to one (1) year after its defeat, of a proposal that is defeated under subsection (f)(3), (g)(3), or (g)(4)."

Page 1, line 5, strike "any decision" and insert "**the following decisions**".

Page 1, line 13, after "county" delete "." and insert "**in whose district the parcel of real property under consideration is located.**".

Page 1, line 14, after "member" insert "**in whose district the parcel of real property under consideration is located**".

Page 1, line 14, delete "regarding" and insert "**approving, denying, or otherwise concerning**".

Page 2, line 8, after "approved" delete "," and insert "**or denied,**".

Page 2, line 9, after "official" insert "**or legislative body member**".

Page 2, line 24, after "official" insert "**or legislative body member**".

Page 2, line 28, after "official" insert "**or legislative body member**".

Page 2, line 32, after "official" insert "**or legislative body member**".

Renumber all SECTIONS consecutively.

(Reference is to SB 174 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 8, Nays 0.

HEAD, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Health and Provider Services, to which was referred Senate Bill 180, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Delete the title and insert the following:

A BILL FOR AN ACT concerning insurance.

Page 1, line 1, delete "IC 10-17-14 IS ADDED TO THE INDIANA CODE" and insert "[EFFECTIVE UPON PASSAGE]

(a) As used in this SECTION, "department" refers to the state department of health.

(b) As used in this SECTION,"

Page 1, delete lines 2 through 16.

Page 2, delete lines 1 through 16.

Page 2, line 17, delete "Sec. 4. As used in this chapter,".

Page 1, run in line 1 through page 2, line 17.

Page 2, delete lines 21 through 22.

Page 2, line 23, delete "counseling, and rehabilitative", begin a new paragraph and insert:

"(c) Not later than September 1, 2014, the department shall study and, in an electronic format under IC 5-14-6, report the department's findings and recommendations to the legislative council concerning implementation of a program for the specific".

Page 2, delete lines 25 through 42, begin a new paragraph and insert:

"(d) Findings and recommendations made under subsection (c) must include the following:

(1) After consideration by the department of treatment protocols and therapies for traumatic brain injury and posttraumatic stress disorder, including:

(A) resource facilitation;

(B) cognitive rehabilitation; and

(C) hyperbaric therapy;

recommendations concerning the best peer reviewed, evidence based protocols and therapies to be used to provide the treatment described in subsection (c).

(2) Recommendations concerning the types of health care providers necessary for implementation and any certification of the program.

(3) The estimated number of veterans who have traumatic brain injury or posttraumatic stress disorder.

(4) An analysis of available federal and state funding for the program.

(5) An analysis of the costs of traumatic brain injury and posttraumatic stress disorder among veterans and the economic impact of implementation of the program.

(e) This SECTION expires January 1, 2015.

SECTION 2. **An emergency is declared for this act."**

Delete pages 3 through 6.

(Reference is to SB 180 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 9, Nays 0.

PATRICIA MILLER, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Appropriations, to which was referred Senate Bill 183, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

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

"SECTION 1. IC 8-14-16-4, AS ADDED BY P.L.47-2006, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 4. (a) Each county, city, or town that receives a distribution under section 3 of this chapter shall establish a local major moves construction fund.

(b) The fund consists of money distributed to the county, city, or town from the major moves construction fund under section 3 of this chapter.

(c) The fiscal officer of the county, city, or town shall administer the fund.

(d) Subject to subsection (f), the fiscal body of the county, city, or town may appropriate money in the fund for a purpose

described in section 5 of this chapter. The appropriations of money in the fund must be included as a part of the annual budget for the calendar year in accordance with IC 6-1.1-17.

(e) Money remaining in the fund at the end of a particular calendar year remains in the fund and does not revert to any other fund.

(f) A county fiscal body must consult with the county executive before making an appropriation under this section.

(g) In addition to any deposits or investments that may be made with money in the fund in accordance with IC 5-13 or any other applicable law and if approved by the fiscal body of the county, city, or town, money in the fund may also be invested in other fixed income assets as provided in this subsection. The following apply if money in the fund is invested in other fixed income assets under this subsection:

(1) The money may be invested only in fixed income assets that have a credit rating equal to or greater than AA or its equivalent, as determined by at least two (2) nationally recognized credit rating agencies.

(2) Money in the fund must be invested with the care, skill, prudence, and diligence that a prudent person acting in a like capacity and familiar with such matters would use in the conduct of an enterprise of a like character with like aims.

(3) The investments of money in the fund must be diversified and of a credit quality that is in accordance with prudent investment standards.

(4) The fiscal body of the county, city, or town must establish an asset allocation plan for the fund that is consistent with the liquidity needs of the fund and with the corresponding liabilities that the assets in the fund support.

(5) Any contracts or agreements with investment management professionals, investment advisors, legal counsel, or custodians concerning investment of money in the fund must also be approved by the fiscal body of the county, city, or town.

(6) In addition to any other required reporting, the fiscal officer of the county, city, or town shall report before April 1 of each year to the fiscal body and the local board of finance under IC 5-13-7 for the county, city, or town regarding the investment of money in the fund during the preceding calendar year.

(h) Money in the fund may not be invested in any real estate, equities, commodities, repurchase agreements that create explicit leverage in the portfolio, swaps, derivatives, fixed income assets with a credit rating of lower than AA or its equivalent, or bonds with a maturity of more than five (5) years.

SECTION 2. IC 36-1-8-18.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: **Sec. 18.5. (a) This section applies to money received by a political subdivision from the sale of facilities or other real property, if the fiscal body of the political subdivision makes a determination that the money received represents a substantial amount of public funds that should be invested under this section.**

(b) In addition to any deposits or investments that may be

made with the money in accordance with IC 5-13 or any other applicable law and if the fiscal body of the political subdivision makes a determination under subsection (a), the money may also be invested in other fixed income assets as provided in this subsection. The following apply if money is invested in other fixed income assets under this subsection:

(1) The money may be invested only in fixed income assets that have a credit rating equal to or greater than AA or its equivalent, as determined by at least two (2) nationally recognized credit rating agencies.

(2) The money must be invested with the care, skill, prudence, and diligence that a prudent person acting in a like capacity and familiar with such matters would use in the conduct of an enterprise of a like character with like aims.

(3) The investments of the money must be diversified and of a credit quality that is in accordance with prudent investment standards.

(4) The fiscal body of the political subdivision must establish an asset allocation plan for the money that is consistent with the liquidity needs and liabilities of the political subdivision.

(5) Any contracts or agreements with investment management professionals, investment advisors, legal counsel, or custodians concerning investment of the money must also be approved by the fiscal body of the political subdivision.

(6) In addition to any other required reporting, the fiscal officer of the political subdivision shall report before April 1 of each year to the fiscal body and the local board of finance under IC 5-13-7 for the political subdivision regarding the investment of the money under this subsection during the preceding calendar year.

(c) The money may not be invested under this section in any real estate, equities, commodities, repurchase agreements that create explicit leverage in the portfolio, swaps, derivatives, fixed income assets with a credit rating of lower than AA or its equivalent, or bonds with a maturity of more than five (5) years."

Delete pages 2 through 4.

(Reference is to SB 183 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 10, Nays 0.

KENLEY, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Corrections and Criminal Law, to which was referred Senate Bill 187, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

Committee Vote: Yeas 10, Nays 0.

M. YOUNG, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Education and Career Development, to which was referred Senate Bill 204, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

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

"SECTION 1. IC 20-20-8-8, AS AMENDED BY P.L.246-2013, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 8. The report must include the following information:

- (1) Student enrollment.
- (2) Graduation rate (as defined in IC 20-26-13-6).
- (3) Attendance rate.
- (4) The following test scores, including the number and percentage of students meeting academic standards:
 - (A) ISTEP program test scores.
 - (B) Scores for assessments under IC 20-32-5-21, if appropriate.
 - (C) For a freeway school, scores on a locally adopted assessment program, if appropriate.
- (5) Average class size.
- (6) The number and percentage of students in the following groups or programs:
 - (A) Alternative education, if offered.
 - (B) Career and technical education.
 - (C) Special education.
 - (D) High ability.
 - (E) Remediation.
 - (F) Limited English language proficiency.
 - (G) Students receiving free or reduced price lunch under the national school lunch program.
 - (H) School flex program, if offered.
- (7) Advanced placement, including the following:
 - (A) For advanced placement tests, the percentage of students:
 - (i) scoring three (3), four (4), and five (5); and
 - (ii) taking the test.
 - (B) For the Scholastic Aptitude Test:
 - (i) test scores for all students taking the test;
 - (ii) test scores for students completing the academic honors diploma program; and
 - (iii) the percentage of students taking the test.
- (8) Course completion, including the number and percentage of students completing the following programs:
 - (A) Academic honors diploma.
 - (B) Core 40 curriculum.
 - (C) Career and technical programs.
- (9) The percentage of grade 8 students enrolled in algebra I.
- (10) The percentage of graduates who pursue higher education.
- (11) School safety, including:
 - (A) the number of students receiving suspension or expulsion for the possession of alcohol, drugs, or weapons;

(B) the number of incidents reported under IC 20-33-9; and

(C) the number of bullying incidents reported under IC 20-34-6 by category.

(12) Financial information and various school cost factors, including the following:

(A) Expenditures per pupil.

(B) Average teacher salary.

(C) Remediation funding.

(13) Technology accessibility and use of technology in instruction.

(14) Interdistrict and intradistrict student mobility rates, if that information is available.

(15) The number and percentage of each of the following within the school corporation:

(A) Teachers who are certificated employees (as defined in IC 20-29-2-4).

(B) Teachers who teach the subject area for which the teacher is certified and holds a license.

(C) Teachers with national board certification.

(16) The annual retention rate for teachers.

~~(16)~~ **(17)** The percentage of grade 3 students reading at grade 3 level.

~~(17)~~ **(18)** The number of students expelled, including the number participating in other recognized education programs during their expulsion.

~~(18)~~ **(19)** Chronic absenteeism, which includes the number of students who have been absent from school for ten percent (10%) or more of a school year for any reason.

~~(19)~~ **(20)** Habitual truancy, which includes the number of students who have been absent ten (10) days or more from school within a school year without being excused or without being absent under a parental request that has been filed with the school.

~~(20)~~ **(21)** The number of students who have dropped out of school, including the reasons for dropping out.

~~(21)~~ **(22)** The number of student work permits revoked.

~~(22)~~ **(23)** The number of student driver's licenses revoked.

~~(23)~~ **(24)** The number of students who have not advanced to grade 10 due to a lack of completed credits.

~~(24)~~ **(25)** The number of students suspended for any reason.

~~(25)~~ **(26)** The number of students receiving an international baccalaureate diploma.

~~(26)~~ **(27)** Other indicators of performance as recommended by the education roundtable under IC 20-19-4."

Page 1, between lines 6 and 7, begin a new line block indented and insert:

"(3) A planned sequence of academic courses and experiences leading to a degree, a recommendation for a state license, or another credential that entitles the holder of the credential to perform professional education services in schools."

Page 1, line 10, after "accredit" insert ",."

Page 1, line 10, strike "and".

Page 1, line 10, after "inspect" insert ", and evaluate".

Page 2, line 2, strike "graduate from the" and insert

"complete".

Page 2, line 8, delete "reported under subsection (e)." and insert **"under subsections (e) and (f)."**

Page 2, line 9, after "the" insert **"performance"**.

Page 2, line 9, delete "and benchmarks".

Page 2, line 14, after "data" insert **"concerning individuals who completed the teacher preparation program"**.

Page 2, line 16, delete "raw" and insert **"and scaled"**.

Page 2, line 18, delete "raw" and insert **"and scaled"**.

Page 2, line 20, strike "maximum" and insert **"average"**.

Page 2, line 20, strike "each individual" and insert **"individuals"**.

Page 2, line 21, strike "completes" and insert **"complete"**.

Page 2, line 21, strike "takes each" and insert **"take"**.

Page 2, line 21, strike "test" and insert **"tests applicable to the initial teaching license"**.

Page 2, line 27, delete "." and insert **"after completing the teacher preparation program."**

Page 2, line 35, after "site" insert **"not later than five (5) calendar days after receiving the data"**.

Page 2, between lines 36 and 37, begin a new paragraph and insert:

"(f) Beginning February 1, 2015, and not later than each February 1 thereafter, each teacher preparation program shall report to the department the percentage of candidates admitted to the teacher preparation program during the previous calendar year who meet a sliding scale, established by the state board, of:

(1) a minimum grade point average of 3.0 on a 4.0 scale or placing in the top fiftieth percentile for course work completed during the most recent two (2) years of the candidates' education before entering the teacher preparation program; and

(2) a minimum top fifty percent (50%) score on a standardized test normed to the general college-bound population.

The department shall make the reported data available on the department's Internet web site not later than five (5) calendar days after receiving the data and use the data to establish the performance standards required under subsection (d)."

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

Page 2, line 39, after "information" insert **"concerning individuals who completed the teacher preparation program after January 1, 2015, and within the five (5) most recent calendar years"**.

Page 3, line 25, after "program" insert **"hired after July 1, 2015,"**.

Page 4, delete lines 3 through 10.

Page 4, line 11, delete "(8)".

Page 4, line 11, strike "The name of the employer of each individual who".

Page 4, strike lines 12 through 13.

Page 4, delete lines 14 through 19.

Page 4, line 20, delete "(g)" and insert **"(h)"**.

Page 4, line 28, delete "(h)" and insert **"(i)"**.

Page 4, line 29, delete "," and insert **"and the commission for**

higher education, and with input from teacher preparation programs,".

Page 4, line 32, strike "subsection" and insert **"subsections (e) and"**.

Page 4, line 32, strike "three (3)" and insert **"five (5)"**.

Page 4, line 35, delete "sanctions under subsection (i)." and insert **"referral to the commission for higher education under subsection (j)."**

Page 4, delete lines 38 through 42.

Page 5, delete lines 1 through 12, begin a new paragraph and insert:

"(j) Beginning July 1, 2017, and not later than each July 1 thereafter, the department shall submit a list to the commission for higher education of teacher preparation programs that do not meet the minimum rating established under subsection (i)(2). The commission for higher education may take one (1) of the following actions:

(1) Place the teacher preparation program on an improvement plan with clear performance goals and a designated period of time in which the performance goals must be achieved.

(2) Disapprove the teacher preparation program under IC 21-18-9-5(3).

SECTION 3. IC 20-28-11.5-9, AS AMENDED BY P.L.254-2013, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 9. (a) Before August 1 of each year, each **charter school and** school corporation shall provide the disaggregated results of staff performance evaluations by teacher identification numbers to the department.

(b) Before September 1 of each year, the department shall report the results of staff performance evaluations in the aggregate to the state board, and to the public via the department's Internet web site, for:

(1) the aggregate of certificated employees of each school and school corporation; and

(2) the aggregate of graduates of each teacher preparation program in Indiana.

(c) **Not later than April 1, 2015, and each April 1 thereafter, the department shall develop the teacher survey required under subsection (d) and provide each charter school and school corporation with the survey.**

(d) **Beginning May 1, 2015, and each May 1 thereafter, each charter school and school corporation shall administer a survey to teachers who:**

(1) complete their initial year of teaching at a particular school within the most recent calendar year; and

(2) completed a teacher preparation program in Indiana within the five (5) most recent calendar years; to assess the quality of the preparation provided by the teacher preparation program which recommended the teacher for an initial teaching license. Not later than June 1, 2015, and each June 1 thereafter, each charter school and school corporation shall submit the completed surveys to the department. The department shall compile the information contained in the surveys and include an aggregated summary for each teacher preparation program on the department's Internet web site.

(e) Beginning September 1, 2015, and each September 1 thereafter, the department shall report to each teacher preparation program in Indiana:

(1) a summary of the surveys relevant to the particular teacher preparation program submitted under subsection (c); and

(2) the results in aggregate form of teacher performance evaluations for each category described in section 4(c)(4) for individuals who completed the teacher preparation program, broken down by the year the teacher received an initial teaching license."

Renumber all SECTIONS consecutively.

(Reference is to SB 204 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 11, Nays 1.

KRUSE, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Education and Career Development, to which was referred Senate Bill 205, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

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

"SECTION 1. IC 20-24-2.2-3, AS AMENDED BY P.L.280-2013, SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 3. (a) After giving at least thirty (30) days notice, the state board ~~may~~ **shall** require an authorizer to appear at a hearing conducted by the state board if the authorizer has renewed the charter of or failed to close a charter school that does not meet the minimum standards in the charter agreement as provided in section 2 of this chapter, as posted on the department's Internet web site.

(b) After the hearing, the state board ~~may~~ **shall** implement one (1) or more of the following actions unless the state board finds sufficient justification for the charter school's performance under the state school accountability system:

(1) Transfer the authorization of the charter school identified in subsection (a) to another authorizer.

(2) Order the closure of the charter school identified in subsection (a) at the end of the current school year.

(3) Order the reduction of any administrative fee collected under IC 20-24-7-4 that is applicable to the charter school identified in subsection (a). The reduction must become effective at the beginning of the month following the month of the authorizer's hearing before the state board.

A charter school that is closed by the state board under this section may not be granted a charter by any other authorizer.

(c) In determining ~~whether to impose~~ consequences **to impose** under subsection (b), the state board must consider the following:

(1) Enrollment of students with special challenges such as drug or alcohol addiction, prior withdrawal from school, prior incarceration, or other special circumstances.

(2) High mobility of the student population resulting from the specific purpose of the charter school.

(3) Annual improvement in the performance of students enrolled in the charter school, as measured by IC 20-31-8-1, compared with the performance of students enrolled in the charter school in the immediately preceding school year.

SECTION 2. IC 20-24-2.2-4, AS AMENDED BY P.L.280-2013, SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 4. If the state board has closed or transferred authorization of at least twenty-five percent (25%) of the charter schools chartered by one (1) authorizer under section 3 of this chapter, the authorizer's authority to authorize new charter schools ~~may~~ **shall** be suspended by the state board until the state board approves the authorizer to authorize new charter schools. A determination under this section to suspend an authorizer's authority to authorize new charter schools must identify the deficiencies that, if corrected, will result in the approval of the authorizer to authorize new charter schools."

Page 2, delete lines 1 through 15.

Page 4, between lines 30 and 31, begin a new paragraph and insert:

"SECTION 4. IC 20-24-9-1, AS AMENDED BY P.L.91-2011, SECTION 21, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 1. (a) A sponsor that has established a charter school shall submit an annual report to the department for informational and research purposes. **The sponsor shall make the annual report available on the sponsor's Internet web site.**

(b) **The department and state board shall make all annual reports submitted under subsection (a) available on the department's and state board's Internet web sites.**

SECTION 5. IC 20-24-9-2, AS AMENDED BY P.L.280-2013, SECTION 47, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 2. An annual report under this chapter must contain the following information:

(1) Results of all standardized testing, including ISTEP program testing, end of course assessments, and any other assessments used for each authorized school.

(2) Student growth and improvement data for each authorized school.

(3) Attendance rates for each authorized school.

(4) Graduation rates (if appropriate), including attainment of Core 40 and academic honors diplomas for each authorized school.

(5) Student enrollment data for each authorized school, including the following:

(A) The number of students enrolled.

(B) The number of students expelled.

(6) ~~Schools that closed or for which the charter was not renewed; and the reasons for the closure or nonrenewal.~~ **Status of the authorizer's charter schools, identifying each of the authorizer's charter schools that are in the following categories:**

(A) **Approved but not yet open.**

(B) **Open and operating.**

(C) **Closed or having a charter that was not renewed, including:**

- (i) the year closed or not renewed; and
- (ii) the reason for the closure or nonrenewal.

(7) Names of the authorizer's board members or ultimate decision making body.

(8) Evidence that the authorizer is in compliance with IC 20-24-2.2-1.5.

(9) A report summarizing the total amount of administrative fees collected by the authorizer and how the fees were expended, if applicable.

(10) Total amount of other fees or funds not included in the report under subdivision (9) received by the authorizer from a charter school and how the fees or funds were expended.

(11) Financial reports for all operating charter schools authorized by the authorizer."

Page 4, delete lines 31 through 42, begin a new paragraph and insert:

"SECTION 7. IC 20-26-7-1, AS AMENDED BY P.L.17-2013, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 1. (a) As used in this section, "charter school" has the meaning set forth in IC 20-24-1-4 and includes a group or entity seeking approval from a sponsor to operate a charter school under IC 20-24-3.

(b) Except as otherwise provided in this section, if a governing body of a school corporation determines that any real or personal property:

- (1) is no longer needed for school purposes; or
- (2) should, in the interests of the school corporation, be exchanged for other property;

the governing body may sell or exchange the property in accordance with IC 36-1-11.

(c) Money derived from the sale or exchange of property under this section shall be placed in any school fund:

- (1) established under applicable law; and
- (2) that the governing body considers appropriate.

(d) A governing body may not make a covenant that prohibits the sale of real property to another educational institution.

(e) This subsection does not apply to a school building that on July 1, 2011, is leased or loaned by the school corporation that owns the school building to another entity, if the entity is not a building corporation or other entity that is related in any way to, or created by, the school corporation or the governing body. Except as provided in subsections (k) through (n), a governing body shall make available for lease or purchase to any charter school any school building owned by the school corporation or any other entity that is related in any way to, or created by, the school corporation or the governing body, including but not limited to a building corporation, that:

- (1) either:
 - (A) is not used in whole or in part for classroom instruction at the time the charter school seeks to lease the building; or
 - (B) appears on the list compiled by the department under subsection (f); and
- (2) was previously used for classroom instruction;

in order for the charter school to conduct classroom instruction.

(f) Not later than August 1 each calendar year, each governing body shall inform the department if a school building that was

previously used for classroom instruction is closed, unused, or unoccupied. The department shall maintain a list of closed, unused, or unoccupied school buildings and make the list available on the department's Internet web site. Each school corporation shall provide a list of closed, unused, or unoccupied buildings to the department by the date set by the department. The department must update the list ~~each year before August 31~~. **not later than fifteen (15) days after being notified of a closed, unused, or unoccupied building.**

(g) A school building that appears for the first time on the department's list under subsection (f) shall be designated as "Unavailable until (a date two (2) years after the school building first appears on the list)" if the governing body of the school corporation that owns the school building indicates to the department, on a form prescribed by the department, that the school building may be reclaimed during that period for classroom instruction. If a governing body does not indicate that a school building may be reclaimed, the governing body shall designate the school building as "Available" on the department's list. The governing body may change the designation of a building from unavailable to available at any time. If a school building that is designated as unavailable on the department's list remains unused for classroom instruction one (1) year after being reclaimed under this subsection, the governing body shall designate the school building as "Available" on the department's list. A governing body may reclaim a school building only one (1) time under this subsection.

(h) If a charter school wishes to use a school building on the list created under subsection (f), the charter school shall send a letter of intent to the department. **Except as provided in subsection (o)**, within thirty (30) days after receiving a letter from a charter school, the department shall notify the school corporation of the charter school's intent, and, within thirty (30) days after receiving notification from the department, the school corporation that owns the school building shall lease the school building to the charter school for one dollar (\$1) per year for as long as the charter school uses the school building for classroom instruction or for a term at the charter school's discretion, or sell the school building to the charter school for one dollar (\$1). The charter school must begin to use the school building for classroom instruction not later than two (2) years after acquiring the school building. If the school building is not used for classroom instruction within two (2) years after acquiring the school building, the school building shall be placed on the department's list under subsection (f). If during the term of the lease the charter school closes or ceases using the school building for classroom instruction, the school building shall be placed on the department's list under subsection (f). If a school building is sold to a charter school under this subsection and the charter school or any entity related to the charter school subsequently sells or transfers the school building to a third party, the charter school or related entity must transfer an amount equal to the gain in the property minus the adjusted basis (including costs of improvements to the school building) to the school corporation that initially sold the vacant school building to the charter school. Gain and adjusted basis shall be determined in the manner prescribed by the Internal Revenue Code and the applicable

Internal Revenue Service regulations and guidelines.

(i) During the term of a lease under subsection (h), the charter school is responsible for the direct expenses related to the school building leased, including utilities, insurance, maintenance, repairs, and remodeling. The school corporation is responsible for any debt incurred for or liens that attached to the school building before the charter school leased the school building.

(j) Notwithstanding anything to the contrary in this section, and with the sole exception of a waiver provided in subsection (n), when a school building is designated as "Available" under subsection (g), the school building must remain designated as "Available" and may not be sold or otherwise disposed of for at least two (2) years. When the two (2) year period has elapsed, the school corporation may sell or otherwise dispose of the school building in accordance with IC 36-1-11.

(k) Notwithstanding subsection (e), a governing body may request a waiver from the department from the requirements of subsection (e). In order for a governing body to receive a waiver under subsection (n), the governing body must apply to the department, on a form prescribed by the department, for the waiver. The application must include a statement that the governing body believes that a charter school would not be interested in leasing or purchasing the vacant or unused school building.

(l) If the department receives a waiver request under subsection (k), the department, within five (5) days after receiving the waiver request under subsection (k), shall notify each charter school sponsor and statewide organization representing charter schools in Indiana by certified mail of the waiver request received under subsection (k). The notice must include a copy of the governing body's waiver request.

(m) Not later than thirty (30) days after a charter school sponsor or statewide organization representing charter schools in Indiana receives a notice described in subsection (l), the charter school sponsor or a statewide organization representing charter schools may submit a qualified objection to the governing body's request for a waiver under subsection (k). The qualified objection must be submitted to the department in writing. In order for an objection to be considered a qualified objection by the department, the objection must include:

- (1) the name of the charter school that is interested in leasing or purchasing the vacant or unused school building; and
- (2) a time frame, which may not exceed one (1) year from the date of the objection, in which the charter school intends to begin providing classroom instruction in the vacant or unused school building.

(n) If the department receives a qualified objection under subsection (m), the vacant or unused school building shall remain on the department's list under subsection (f) with the designation with which the building is listed under subsection (g) at the time the department receives the waiver request. If the department does not receive a qualified objection, the department shall grant the governing body's request for a waiver. A governing body that receives a waiver under this subsection may sell or otherwise dispose of the unused or vacant school building in accordance with IC 36-1-11.

(o) **The state board shall establish a process to use if more than one (1) charter school sends a letter of intent under subsection (h) to purchase or lease the same vacant or unused building within the first thirty (30) days after a building is initially listed or the building is designated as "Available". The state board shall assign weighted values to each charter school's:**

- (1) academic quality;**
- (2) financial health;**
- (3) community impact; and**
- (4) program design;**

to evaluate the competing charter schools. If two (2) or more competing charter schools each receive the same total score on the evaluation, the state board shall conduct a random drawing at a public meeting to determine which charter school may purchase or lease the vacant or unused building. The process established under this subsection must be completed within thirty (30) days after the department receives a second or subsequent letter of intent under subsection (i).

SECTION 8. IC 20-31-9-9 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: **Sec. 9. (a) Not later than December 31 of the fifth year of an intervention under this chapter, the state board shall take one (1) of the following actions:**

- (1) Return the school to the school corporation for operation.**
- (2) Direct the special management team to apply to a charter school authorizer for charter school status for the school.**
- (3) Implement a new intervention under section 4(b) of this chapter.**

(b) In making a determination under this section, the state board may consider all relevant factors, including the overall performance of the school corporation and the special management team.

(c) Before making a final determination to take an action under subsection (a), the state board shall hold at least one (1) public hearing in the school corporation in which the school is located during the fall semester of the fifth year of an intervention to consider and hear testimony.

(d) If the state board directs the special management team to apply for charter school status under subsection (a)(2), the school is entitled to continue to use the school's facilities in the same manner as a charter school that acquires school facilities under IC 20-26-7-1 is entitled to use school facilities.

SECTION 9. IC 20-31-9.5-7, AS ADDED BY P.L.160-2012, SECTION 52, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: **Sec. 7. (a) If the state board assigns a special management team to a school, the state board shall enter into a contract with a special management team that includes the following provisions:**

- (1) A requirement that the special management team and the governing body conduct a public meeting two (2) times each year to provide a report concerning:
 - (A) student achievement of affected students; and
 - (B) the condition of the school property and to address

issues related to the school property.

(2) A requirement that the student instruction must be provided by teachers licensed under IC 20-28-5.

(3) A specification that the length of the contract is five (5) years.

(b) Individuals employed by the special management team are entitled to participate in either:

(1) the state teachers' retirement fund created by IC 5-10.4; or

(2) the public employees' retirement fund created by IC 5-10.3.

(c) Employees of a special management team are not required to organize and collectively bargain under IC 20-29-6."

Re-number all SECTIONS consecutively.

(Reference is to SB 205 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 12, Nays 0.

KRUSE, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Judiciary, to which was referred Senate Bill 223, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

Committee Vote: Yeas 7, Nays 0.

STEELE, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Appropriations, to which was referred Senate Bill 225, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 1, delete lines 1 through 14.

Delete page 2.

Page 3, delete lines 1 through 29.

Page 21, delete lines 20 through 42, begin a new paragraph and insert:

"SECTION 20. IC 5-10.3-8-14, AS AMENDED BY P.L.205-2013, SECTION 76, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JUNE 30, 2014]: Sec. 14. (a) Except as provided in subsection (c), this section applies to employees of the state (as defined in IC 5-10.3-7-1(d)) who are:

(1) members of the fund; and

(2) paid by the auditor of state by salary warrants.

(b) Except as provided in subsection (c), this section does not apply to the employees of the state (as defined in IC 5-10.3-7-1(d)) employed by:

(1) a body corporate and politic of the state created by state statute; or

(2) a state educational institution (as defined in IC 21-7-13-32).

(c) The chief executive officer of a body or institution

described in subsection (b) may elect to have this section apply to the employees of the state (as defined in IC 5-10.3-7-1(d)) employed by the body or institution by submitting a written notice of the election to the director. An election under this subsection is effective on the later of:

(1) the date the notice of the election is received by the director; or

(2) July 1, 2013.

(d) The board shall adopt provisions to establish a retirement medical benefits account within the fund under Section 401(h) or as a separate fund under another applicable section of the Internal Revenue Code for the purpose of converting unused excess accrued leave to a monetary contribution for an employee of the state to fund on a pretax basis benefits for sickness, accident, hospitalization, and medical expenses for the employee and the spouse and dependents of the employee after the employee's retirement. The state may match all or a portion of an employee's contributions to the retirement medical benefits account established under this section.

(e) The board is the trustee of the account described in subsection (d). The account must be qualified, as determined by the Internal Revenue Service, as a separate account within the fund whose benefits are subordinate to the retirement benefits provided by the fund.

(f) The board may adopt rules under IC 5-10.5-4-2 that it considers appropriate or necessary to implement this section after consulting with the state personnel department. The rules adopted by the board under this section must:

(1) be consistent with the federal and state law that applies to:

(A) the account described in subsection (d); and

(B) the fund; and

(2) include provisions concerning:

(A) the type and amount of leave that may be converted to a monetary contribution;

(B) the conversion formula for valuing any leave that is converted;

(C) the manner of employee selection of leave conversion; and

(D) the vesting schedule for any leave that is converted.

(g) The board may adopt the following:

(1) Account provisions governing:

(A) the investment of amounts in the account; and

(B) the accounting for converted leave.

(2) Any other provisions that are necessary or appropriate for operation of the account.

(h) The account described in subsection (d) may be implemented only if the board has received from the Internal Revenue Service any rulings or determination letters that the board considers necessary or appropriate.

(i) To the extent allowed by:

(1) the Internal Revenue Code; and

(2) rules adopted by:

(A) the board under this section; and

(B) the state personnel department under IC 5-10-1.1-7.5;

employees of the state may convert unused excess accrued leave

to a monetary contribution under this section and under IC 5-10-1.1-7.5.

(j) To the extent allowed by the Internal Revenue Code, the account described in subsection (d) must include provisions that:

- (1) require an employee of the state to convert to a monetary contribution to the account at retirement the balance, but not more than thirty (30) days, of unused vacation leave for which the state would otherwise pay an employee in good standing at separation from service (as determined by state personnel department rule); and
- (2) allow the state to contribute to the account on the employee's behalf an amount not to exceed two (2) times the amount of the employee's contribution under subdivision (1).

(k) The account described in subsection (d) must be implemented on July 1, 2014."

Delete pages 22 through 24.

Page 25, delete lines 1 through 14.

Page 28, line 6, after "Indiana," insert "**This amount does not include use taxes the state has collected from:**

- (A) remote sellers who are required to collect use tax because of having a nexus in Indiana due to a physical presence of the seller or an entity related to the seller; or
- (B) purchasers who remit use taxes as required by IC 6-2.5-3-6."

Page 28, delete lines 24 through 42.

Delete page 29.

Page 30, delete lines 1 through 30.

Page 32, line 23, delete "entity, and" and insert "entity and".

Page 32, line 23, delete "and a governmental entity,".

Page 36, between lines 12 and 13, begin a new paragraph and insert:

"SECTION 47. IC 8-15.5-5-5, AS ADDED BY P.L.47-2006, SECTION 39, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 5. Notwithstanding any contrary provision of this article, the authority may enter into a public-private agreement with multiple private entities **or with another governmental entity**, if the authority determines in writing that it is in the public interest to do so.

SECTION 48. IC 8-15.5-5-6, AS ADDED BY P.L.47-2006, SECTION 39, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 6. The department or any other state agency **or governmental entity** may perform any duties and exercise any powers of the authority under this article or the public-private agreement that have been assigned, subcontracted, or delegated to it by the authority."

Page 36, line 15, delete "Except for a project involving".

Page 36, line 16, delete "another state, each" and insert "Each".

Page 36, line 16, after "operated" insert "**in the state of Indiana**".

Page 36, line 17, strike "is considered" and insert "**may be determined by the department**".

Page 36, line 22, delete "A" and insert "**Notwithstanding IC 4-4-11-36.1(b), IC 4-4-11-36.1(c), or any other law, a**".

Page 36, line 27, strike "the" and insert "a".

Page 36, between lines 33 and 34, begin a new paragraph and insert:

"SECTION 49. IC 8-15.5-8-1.5 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION TO READ AS FOLLOWS** [EFFECTIVE JULY 1, 2014]: **Sec. 1.5. Notwithstanding IC 4-4-11-36.1(b), IC 4-4-11-36.1(c), or any other law, any interest in a project, including all tangible personal property used exclusively in connection with a project, that is:**

(1) owned by:

- (A) the authority;
- (B) an adjacent state or commonwealth; or
- (C) a political subdivision or instrumentality of an adjacent state or commonwealth; and

(2) acquired, constructed, or otherwise provided in connection with a project by;

- (A) an operator;
- (B) an adjacent state or commonwealth; or
- (C) a political subdivision or instrumentality of an adjacent state or commonwealth;

is considered to be public property devoted to an essential public and governmental function and purpose. This property, and a leasehold estate, franchise, license, or other interests in the property, is exempt from all ad valorem property taxes and special assessments levied against property by the state or any political subdivision of the state."

Renumber all SECTIONS consecutively.

(Reference is to SB 225 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 10, Nays 1.

KENLEY, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Health and Provider Services, to which was referred Senate Bill 228, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 1, line 7, delete "to have" and insert "**concerning**".

Page 1, line 10, delete "to have" and insert "**concerning**".

Page 1, line 12, delete "to have" and insert "**concerning**".

(Reference is to SB 228 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 9, Nays 1.

PATRICIA MILLER, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Health and Provider Services, to which was referred Senate Bill 233, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

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

paragraph and insert:

"SECTION 1. IC 25-1-1.1-4, AS AMENDED BY P.L.232-2013, SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 4. (a) This section applies to an individual who is applying for, or will be applying for, an initial license or an initial certificate under one (1) of the following:

- (1) IC 25-2.5 (acupuncturists).
- (2) IC 25-3.7 (anesthesiologist assistants).**
- ~~(2)~~ **(3)** IC 25-10 (chiropractors).
- ~~(3)~~ **(4)** IC 25-13 (dental hygienists).
- ~~(4)~~ **(5)** IC 25-14 (dentists).
- ~~(5)~~ **(6)** IC 25-14.5 (dietitians).
- ~~(6)~~ **(7)** IC 25-17.3 (genetic counselors).
- ~~(7)~~ **(8)** IC 25-19 (health facility and residential care facility administrators).
- ~~(8)~~ **(9)** IC 25-21.8 (massage therapists).
- ~~(9)~~ **(10)** IC 25-22.5 (physicians).
- ~~(10)~~ **(11)** IC 25-23 (nurses).
- ~~(11)~~ **(12)** IC 25-23.4 (certified direct entry midwives).
- ~~(12)~~ **(13)** IC 25-23.5 (occupational therapists).
- ~~(13)~~ **(14)** IC 25-23.6 (social workers, marriage and family therapists, and counselors).
- ~~(14)~~ **(15)** IC 25-24 (optometrists).
- ~~(15)~~ **(16)** IC 25-26 (pharmacists).
- ~~(16)~~ **(17)** IC 25-27 (physical therapists).
- ~~(17)~~ **(18)** IC 25-27.5 (physician assistants).
- ~~(18)~~ **(19)** IC 25-29 (podiatrists).
- ~~(19)~~ **(20)** IC 25-33 (psychologists).
- ~~(20)~~ **(21)** IC 25-34.5 (respiratory care practitioners).
- ~~(21)~~ **(22)** IC 25-35.6 (speech pathologists and audiologists).
- ~~(22)~~ **(23)** IC 25-38.1 (veterinarians).

(b) As used in this chapter, "national criminal history background check" means the criminal history record system maintained by the Federal Bureau of Investigation based on fingerprint identification or any other method of positive identification.

(c) An individual applying for an initial license or initial certificate specified in subsection (a) shall submit to a national criminal history background check at the cost of the individual.

(d) The state police department shall release the results of a national criminal history background check conducted under this section to the Indiana professional licensing agency.

(e) A board, a commission, or a committee may conduct a random audit and require an individual seeking a renewal of a license or a certificate specified in subsection (a) to submit to a national criminal history background check at the cost of the individual.

SECTION 2. IC 25-1-2-2.1, AS AMENDED BY P.L.232-2013, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 2.1. Rather than being issued annually, the following permits, licenses, certificates of registration, or evidences of authority granted by a state agency must be issued for a period of two (2) years or for the period specified in the article under which the permit, license, certificate of registration, or evidence of authority is issued if the

period specified in the article is longer than two (2) years:

- (1) Certified public accountants, public accountants, and accounting practitioners.
- (2) Architects and landscape architects.
- (3) Dry cleaners.
- (4) Professional engineers.
- (5) Professional surveyors.
- (6) Real estate brokers.
- (7) Real estate agents.
- (8) Security dealers' licenses issued by the securities commissioner.
- (9) Dental hygienists.
- (10) Dentists.
- (11) Veterinarians.
- (12) Physicians.
- (13) Chiropractors.
- (14) Physical therapists.
- (15) Optometrists.
- (16) Pharmacists and assistants, drugstores or pharmacies.
- (17) Motels and mobile home community licenses.
- (18) Nurses.
- (19) Podiatrists.
- (20) Occupational therapists and occupational therapy assistants.
- (21) Respiratory care practitioners.
- (22) Social workers, marriage and family therapists, and mental health counselors.
- (23) Real estate appraiser licenses and certificates issued by the real estate appraiser licensure and certification board.
- (24) Wholesale legend drug distributors.
- (25) Physician assistants.
- (26) Dietitians.
- (27) Athlete agents.
- (28) Manufactured home installers.
- (29) Home inspectors.
- (30) Massage therapists.
- (31) Interior designers.
- (32) Genetic counselors.
- (33) Direct entry midwives.

(34) Anesthesiologist assistants.

SECTION 3. IC 25-3.7 IS ADDED TO THE INDIANA CODE AS A NEW ARTICLE TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]:

ARTICLE 3.7. ANESTHESIOLOGIST ASSISTANTS

Chapter 1. Definitions

Sec. 1. As used in this article, "anesthesiologist assistant" means an individual who:

- (1) meets the qualifications under this article; and**
- (2) is licensed under this article.**

Sec. 2. As used in this article, "board" refers to the medical licensing board of Indiana.

Chapter 2. Licensure

Sec. 1. (a) The board shall license as an anesthesiologist assistant an individual who:

- (1) applies for licensure on a form approved by board;**
- (2) pays a licensing fee in an amount determined by the board;**

(3) does not have a conviction for a crime that has a direct bearing on the applicant's ability to practice competently; and

(4) submits evidence satisfactory to the board that the applicant meets all the following requirements:

(A) Has obtained a bachelor's degree from a postsecondary educational institution.

(B) Has satisfactorily completed a medical-based anesthesiologist assistant program that is accredited by the Commission on Accreditation of Allied Health Education Programs, or by its predecessor or successor organization.

(C) Has passed a certifying examination administered by the National Commission for Certification of Anesthesiologist Assistants, or a successor organization.

(D) Is certified by the National Commission for Certification of Anesthesiologist Assistants, or a successor organization.

(b) An individual must be licensed by the board before the individual may practice as an anesthesiologist assistant.

Sec. 2. In order to maintain a license under this article, an individual licensed under this article shall comply with all continuing certification requirements set by the National Commission for Certification of Anesthesiologist Assistants or a successor organization.

Sec. 3. (a) The board shall do the following:

(1) Subject to IC 25-1-8-2, establish the amounts of fees required under this article.

(2) Adopt rules under IC 4-22-2 concerning the scope of practice for an anesthesiologist assistant. The rules must address the public welfare and safety of patients being treated by an anesthesiologist assistant and include the following:

(A) Require that an anesthesiologist assistant be supervised by a licensed anesthesiologist who:

(i) is licensed under IC 25-22.5; and

(ii) is actively engaged in the clinical practice of anesthesiology; and

(iii) maintains a physical proximity that allows the anesthesiologist to be available immediately if needed at all times that anesthesia services are rendered by the anesthesiologist assistant.

(B) Allow for the training of anesthesiologist assistant students if a student is:

(i) enrolled in an anesthesiologist assistant program that is accredited by the Commission on Accreditation of Allied Health Education Programs or by its predecessor or successor organization; and

(ii) supervised by an individual who meets the requirements of clause (A).

(b) In developing the rules required under subsection (a)(2), the board shall appoint a working committee to assist in the development of the rules. The working committee must contain at least the following:

(1) One (1) individual who is a member of the Indiana State Medical Association, or its successor organization.

(2) One (1) individual who is a member of the Indiana Society of Anesthesiologists, or its successor organization.

(3) One (1) individual who is a member of the American Academy of Anesthesiologist Assistants, or its successor organization.

Sec. 4. (a) An anesthesiologist assistant may practice only:

(1) under the supervision of an anesthesiologist; and

(2) as described in a written practice protocol adopted under subsection (b).

(b) Each anesthesiologist who agrees to act as the supervising anesthesiologist of an anesthesiologist assistant shall adopt a written practice protocol that:

(1) is consistent with this article;

(2) delineates:

(A) the medical services that the anesthesiologist assistant is authorized to provide; and

(B) the manner in which the anesthesiologist will supervise the anesthesiologist assistant;

(3) is based on relevant quality assurance standards, including regular review by the supervising anesthesiologist of the medical records of the patients cared for by the anesthesiologist assistant;

(4) is signed by the anesthesiologist and anesthesiologist assistant;

(5) is updated annually; and

(6) is made available to the board upon request.

(c) The supervising anesthesiologist shall oversee the anesthesiologist assistant in accordance with:

(1) the terms of the protocol; and

(2) any rules adopted by the board for the supervision of an anesthesiologist assistant.

The board may randomly audit or inspect any written practice protocol under which an anesthesiologist assistant works.

(d) An anesthesiologist or an anesthesiologist assistant who violates the written practice protocol described in this section may be disciplined under IC 25-1-9.

Chapter 3. Unauthorized Practice; Penalty; Sanctions

Sec. 1. An individual may not:

(1) profess to be an anesthesiologist assistant;

(2) use the title "anesthesiologist assistant"; or

(3) use the initials "A.A." or any other words, letters, abbreviations, or insignia indicating or implying that the individual is an anesthesiologist assistant licensed under this article;

unless the person is licensed under this article.

Sec. 2. An individual who recklessly, knowingly, or intentionally violates this chapter commits a Class B misdemeanor."

Page 2, line 3, reset in roman "immediate and personal".

Page 2, delete lines 35 through 41.

Page 3, line 40, delete "or".

Page 4, line 1, after "(i)" insert "beginning July 1, 2015, uses training requirements and minimum standards developed by the board;

(ii)".

Page 4, line 1, after "board;" insert "and".

Page 4, line 2, delete "(ii)" and insert "(iii)".

Page 4, line 4, delete "and" and insert "or (C)".

Page 4, line 5, delete "(8) beginning July 1, 2015,".

Page 4, run in lines 4 and 5.

Page 4, between lines 16 and 17, begin a new paragraph and insert:

"(d) A training program approved by the board before July 1, 2015, must be resubmitted to the board for approval in meeting current standards."

Page 6, after line 26, begin a new paragraph and insert:

"SECTION 10. IC 35-51-25-1, AS AMENDED BY P.L.13-2013, SECTION 147, P.L.232-2013, SECTION 26, AND P.L.264-2013, SECTION 16, IS CORRECTED AND AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 1. The following statutes define crimes in IC 25:

IC 25-2.1-13-3 (Concerning accountants).

IC 25-2.5-3-4 (Concerning acupuncturists).

IC 25-3.7-3-2 (Concerning anesthesiologist assistants).

IC 25-5.1-4-2 (Concerning athletic trainers).

IC 25-5.2-2-12 (Concerning athlete agents).

IC 25-6.1-7-1 (Concerning auctioneers and auctions).

IC 25-6.1-7-2 (Concerning auctioneers and auctions).

IC 25-8-15.4-25 (Concerning beauty culture).

IC 25-10-1-11 (Concerning chiropractors).

IC 25-11-1-12 (Concerning collection agencies).

IC 25-13-1-3 (Concerning dental hygienists).

IC 25-14-1-25 (Concerning dentists).

IC 25-14-1-25.5 (Concerning dentists).

IC 25-14-4-6 (Concerning dentists).

IC 25-14.5-7-2 (Concerning dietitians).

IC 25-16-1-18 (Concerning employment services).

IC 25-17.3-5-3 (Concerning genetic counselors).

IC 25-17.6-8-2 (Concerning geologists).

IC 25-18-1-19 (Concerning distress sales).

IC 25-20-1-21 (Concerning hearing aid dealers).

IC 25-20.7-5-1 (Concerning interior designers).

IC 25-21.5-5-10 (Concerning ~~land~~ professional surveyors).

IC 25-21.5-13-2 (Concerning ~~land~~ professional surveyors).

IC 25-21.8-7-1 (Concerning massage therapists).

IC 25-22.5-8-2 (Concerning physicians).

IC 25-22.5-8-3 (Concerning physicians).

IC 25-23-1-27 (Concerning nurses).

IC 25-23.4-3-7 (Concerning certified direct entry midwives).

IC 25-23.5-3-2 (Concerning occupational therapists).

IC 25-23.6-3-3 (Concerning marriage and family therapists).

IC 25-23.6-4-4 (Concerning marriage and family therapists).

IC 25-23.6-4.5-4 (Concerning marriage and family therapists).

IC 25-23.6-7-7 (Concerning marriage and family therapists).

IC 25-23.6-10.1-6 (Concerning marriage and family therapists).

IC 25-23.6-11-1 (Concerning marriage and family

therapists).

IC 25-23.6-11-2 (Concerning marriage and family therapists).

IC 25-23.6-11-3 (Concerning marriage and family therapists).

IC 25-23.7-7-5 (Concerning manufactured home installers).

IC 25-24-1-18 (Concerning optometrists).

IC 25-24-3-17 (Concerning optometrists).

IC 25-26-13-29 (Concerning pharmacists, pharmacies, and drug stores).

IC 25-26-14-23 (Concerning pharmacists, pharmacies, and drug stores).

IC 25-26-14-25 (Concerning pharmacists, pharmacies, and drug stores).

IC 25-26-14-26 (Concerning pharmacists, pharmacies, and drug stores).

IC 25-26-14-27 (Concerning pharmacists, pharmacies, and drug stores).

IC 25-26-19-9 (Concerning pharmacists, pharmacies, and drug stores).

IC 25-26-21-11 (Concerning pharmacists, pharmacies, and drug stores).

IC 25-27-1-12 (Concerning physical therapists).

IC 25-27.5-7-2 (Concerning physician assistants).

IC 25-28.5-1-31 (Concerning plumbers).

IC 25-29-9-1 (Concerning podiatrists).

IC 25-30-1-21 (Concerning private investigator firms, security guards, and polygraph examiners).

IC 25-30-1.3-23 (Concerning private investigator firms, security guards, and polygraph examiners).

IC 25-31-1-13 (Concerning engineers).

IC 25-31-1-27 (Concerning engineers).

IC 25-31.5-8-7 (Concerning soil scientists).

IC 25-33-1-15 (Concerning psychologists).

IC 25-34.5-3-2 (Concerning respiratory care specialists).

IC 25-35.6-3-10 (Concerning speech pathologists and audiologists).

IC 25-36.1-1-2 (Concerning surgical technologists).

IC 25-36.5-1-10 (Concerning timber buyers).

IC 25-36.5-1-15 (Concerning timber buyers).

IC 25-38.1-4-10 (Concerning veterinarians).

IC 25-38.1-4-11 (Concerning veterinarians).

IC 25-39-5-1 (Concerning water well drilling contractors).

IC 25-39-5-7 (Concerning water well drilling contractors).

IC 25-41-1-2 (Concerning behavior analysts)."

Renumber all SECTIONS consecutively.

(Reference is to SB 233 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 12, Nays 0.

PATRICIA MILLER, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Appropriations, to which was referred Senate Bill 235, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as

follows:

- Page 3, line 4, delete "within the state general fund".
- Page 3, delete lines 20 through 21.
- Page 3, line 22, delete "(g)" and insert "(f)".
- Page 3, line 24, delete "shall" and insert "may".
- Page 3, line 30, delete "consult" and insert "discuss".
- Page 3, line 40, delete "shall" and insert "may".
- Page 3, line 41, delete "shall" and insert "may".
- Page 4, line 18, delete "shall," and insert "may,".
- Page 5, line 12, after "shall" insert ", if a pilot project is established under this section,".
- Page 5, line 28, reset in roman "upon approval of the state budget committee."
- Page 5, line 28, after "committee" delete ".".
- Page 6, line 36, reset in roman "and the state budget committee".
- Page 7, after line 18, begin a new paragraph and insert:
"SECTION 6. IC 12-14-29-2, AS ADDED BY P.L.92-2005, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 2. Under this chapter, an individual is eligible for food stamps if the individual meets all the following requirements:
- (1) The individual is a resident of a county having a reentry court program **or Marion County**.
 - (2) The individual was convicted of an offense under IC 35-48 (controlled substances) for conduct occurring after August 22, 1996.
 - (3) Except for 21 U.S.C. 862a(a), the individual meets the federal and Indiana food stamp program requirements.
 - (4) The individual is successfully participating in a reentry court program **or the Marion County superior court pilot project described in IC 11-12-3.8-6**.
- SECTION 7. IC 12-14-29-3, AS ADDED BY P.L.92-2005, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 3. Under this chapter, an individual is eligible for the TANF program if the individual meets all the following requirements:
- (1) The individual is a resident of a county having a reentry court program **or Marion County**.
 - (2) The individual was convicted of an offense under IC 35-48 (controlled substances) for conduct occurring after August 22, 1996.
 - (3) Except for 21 U.S.C. 862a(a), the individual meets the federal and Indiana TANF program requirements.
 - (4) The individual is successfully participating in a reentry court program **or the Marion County superior court pilot project described in IC 11-12-3.8-6**.
- SECTION 8. IC 12-14-29-4, AS ADDED BY P.L.92-2005, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 4. In accordance with 21 U.S.C. 862a(d)(1), the state elects to opt out of the application of 21 U.S.C. 862a(a) for individuals participating in a reentry court program **and the Marion County superior court pilot project described in IC 11-12-3.8-6**.
- SECTION 9. IC 12-14-29-6, AS ADDED BY P.L.92-2005, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 6. A court may modify or

revoke an order issued under this chapter concerning a ~~food stamp~~ **federal Supplemental Nutrition Assistance Program** eligible individual or a TANF eligible individual at any time.

SECTION 10. IC 12-14-29-7, AS AMENDED BY P.L.128-2012, SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 7. A court shall immediately notify the division of family resources local office:

- (1) upon the court's finding of probable cause that an individual has committed a felony offense during the period in which the individual is eligible for TANF or ~~food stamps~~; **the federal Supplemental Nutrition Assistance Program**; or
- (2) when an individual has been terminated from a reentry court program **or the Marion County superior court pilot project described in IC 11-12-3.8-6** during the period in which the individual is eligible for TANF or ~~food stamps~~; **the federal Supplemental Nutrition Assistance Program**."

Renumber all SECTIONS consecutively.

(Reference is to SB 235 as printed January 16, 2014.)

and when so amended that said bill do pass.

Committee Vote: Yeas 10, Nays 0.

KENLEY, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Health and Provider Services, to which was referred Senate Bill 244, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Delete the title and insert the following:

A BILL FOR AN ACT concerning professions and occupations.

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

"SECTION 1. [EFFECTIVE JULY 1, 2014] (a) **As used in this SECTION, "agency" refers to the Indiana professional licensing agency.**

(b) **Before October 1, 2014, the agency shall submit a report to the legislative council in an electronic format under IC 5-14-6 to establish a process to allow individuals of an occupation who meet certain requirements to certify to the agency the individual's qualifications to be included on a list maintained by the agency.**

(c) **The report required in subsection (b) must include the following:**

- (1) **Occupations that may be included on the list.**
- (2) **Whether to provide title protection for the individuals included on the list.**
- (3) **Enforcement provisions that would be used.**
- (4) **A description of auditing and maintenance of the list.**
- (5) **The cost of establishing and maintaining a list.**
- (6) **The cost of an individual applying for and renewing inclusion on the list.**

(d) This SECTION expires December 31, 2014."

Delete pages 2 through 4.

(Reference is to SB 244 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 9, Nays 0.

PATRICIA MILLER, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Corrections and Criminal Law, to which was referred Senate Bill 251, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 1, delete lines 1 through 16.

Page 2, delete lines 1 through 16.

Renumber all SECTIONS consecutively.

(Reference is to SB 251 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 9, Nays 0.

M. YOUNG, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Health and Provider Services, to which was referred Senate Bill 255, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 6, line 2, after "(2)" insert "**The person is at least eighteen (18) years of age.**

(3)".

Page 6, line 4, delete "(3)" and insert "(4)".

Page 6, delete lines 7 through 9, begin a new paragraph and insert:

"(b) A provider is immune from civil liability for conducting a forensic medical examination without consent in accordance with this section unless performance of the forensic medical examination constitutes gross negligence or willful or wanton misconduct.

SECTION 20. IC 34-30-2-66.3 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: **Sec. 66.3. IC 16-21-8-1.1 (Concerning a provider conducting a forensic medical examination).**"

Renumber all SECTIONS consecutively.

(Reference is to SB 255 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 10, Nays 0.

PATRICIA MILLER, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Education and Career Development, to which was referred Senate Bill 264, has had the same under consideration and begs leave to report the

same back to the Senate with the recommendation that said bill be amended as follows:

Delete the title and insert the following:

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

Page 1, line 5, delete ":",

Page 1, line 6, delete "(1)".

Page 1, line 6, delete "noncharter".

Page 1, line 6, delete "that" and insert "**, including a charter school, that**".

Page 1, run in lines 5 through 6.

Page 1, line 8, delete "; or" and insert ".".

Page 1, delete lines 9 through 10.

Page 2, between lines 5 and 6, begin a new line block indented and insert:

"(2) The teacher received a designation of either:**(A) highly effective; or****(B) effective;****on the teacher's most recent performance evaluation under IC 20-28-11.5."**

Page 2, line 6, delete "(2)" and insert "(3)".

Page 2, line 8, delete "(3)" and insert "(4)".

Page 2, line 10, delete "entitled" and insert "**eligible**".

Page 2, line 10, delete "in the".

Page 2, line 11, delete "amount of ten thousand dollars (\$10,000)".

Page 2, line 14, delete "The office shall distribute stipends to eligible teachers."

Page 2, line 15, delete "(b)".

Page 2, run in lines 14 through 15.

Page 2, delete lines 18 through 22, begin a new paragraph and insert:

"(b) A teacher is eligible to receive a stipend under this chapter only if an appropriation has been made to carry out the specific purposes of this chapter."

(Reference is to SB 264 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 7, Nays 2.

KRUSE, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Education and Career Development, to which was referred Senate Bill 265, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 1, delete lines 9 through 12.

Page 3, delete lines 9 through 42.

Delete page 4.

Renumber all SECTIONS consecutively.

(Reference is to SB 265 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 8, Nays 4.

KRUSE, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Commerce, Economic Development and Technology, to which was referred Senate Bill 272, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 1, delete lines 9 through 16, begin a new paragraph and insert:

"(c) The holder of a retailer's permit that provides adult entertainment on the licensed premises shall do the following:

(1) Require a performer who provides adult entertainment on the licensed premises to provide proof of age by means of a:

- (A) state issued driver's license;**
- (B) state issued identification card; or**
- (C) passport;**

showing the performer to be at least eighteen (18) years of age.

(2) Require a performer who provides adult entertainment on the licensed premises to provide proof of legal residency in the United States by means of:

- (A) a birth certificate;**
- (B) a Social Security card;**
- (C) a passport;**
- (D) valid documentary evidence described in IC 9-24-9-2.5; or**
- (E) other valid documentary evidence issued by the United States demonstrating that the performer is entitled to reside in the United States.**

(3) Adopt a policy requiring all employees and contract employees of the licensed premises, including a performer who provides adult entertainment on the licensed premises, to notify the holder or the holder's agent if a patron or other person, while on the licensed premises, pays or offers to pay the performer, employee, or contract employee to engage in sexual intercourse, other sexual conduct (as defined in IC 35-31.5-2-221.5), or fondling of the genitals, in violation of IC 35-45-4-3 (patronizing a prostitute).

(d) The commission may revoke, suspend, or refuse to renew the permit issued for the licensed premises if the holder fails to comply with subsection (c), or if all the following apply:

- (1) A performer was convicted of:**
 - (A) prostitution (IC 35-45-4-2);**
 - (B) promoting prostitution (IC 35-45-4-4);**
 - (C) a drug dealing offense (as defined by IC 11-12-3.7-3);**
 - (D) an offense against the person (IC 35-42) if the offense is:**
 - (i) committed against a patron of the licensed premises; and**
 - (ii) a felony; or**
 - (E) theft (IC 35-43-4-2), if the offense is committed against a patron of the licensed premises;**
- within the previous five (5) years.**
- (2) The offense was committed on the licensed premises.**

(3) The holder of the retailer's permit knew or should have known that the performer committed or was committing the offense.

(4) The holder of the retailer's permit did not, as soon as practicable after investigating the circumstances, terminate the performer's employment or employment contract or notify a law enforcement agency."

Page 2, delete line 1.

Page 2, line 2, delete "(d)" and insert "(e)".

Page 2, delete lines 5 through 9.

Page 2, line 10, delete "(3)" and insert "(1)".

Page 2, line 11, delete "(4)" and insert "(2)".

Page 2, line 11, delete "may affect" and insert "affected".

Page 2, after line 12, begin a new line block indented and insert:

"(3) The extent to which the holder of the retailer's permit has cooperated with law enforcement in the investigation and prosecution of criminal offenses."

(Reference is to SB 272 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 9, Nays 0.

BUCK, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Education and Career Development, to which was referred Senate Bill 276, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 2, line 3, after "art" delete "." and insert "**and music, including music ensembles."**

Page 2, delete lines 8 through 15.

(Reference is to SB 276 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 7, Nays 3.

KRUSE, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Education and Career Development, to which was referred Senate Bill 277, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

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

"SECTION 1. IC 20-18-2-16, AS AMENDED BY P.L.190-2013, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 16. (a) "School corporation", for purposes of this title (except IC 20-20-33, IC 20-26-1 through IC 20-26-5, IC 20-26-7, IC 20-28-11.5, IC 20-30-8, and IC 20-43), means a public school corporation established by Indiana law. The term includes a:

- (1) school city;
- (2) school town;

- (3) school township;
- (4) consolidated school corporation;
- (5) metropolitan school district;
- (6) township school corporation;
- (7) county school corporation;
- (8) united school corporation; or
- (9) community school corporation.

(b) "School corporation", for purposes of IC 20-26-1 through IC 20-26-5 and IC 20-26-7, has the meaning set forth in IC 20-26-2-4.

(c) "School corporation", for purposes of IC 20-19-7, IC 20-20-33, IC 20-26-18, and IC 20-30-8, includes a charter school (as defined in IC 20-24-1-4).

(d) "School corporation", for purposes of IC 20-43, has the meaning set forth in IC 20-43-1-23.

(e) "School corporation", for purposes of IC 20-28-11.5, has the meaning set forth in IC 20-28-11.5-3."

Page 1, delete lines 5 through 13.

Page 1, line 14, delete "2." and insert "1."

Page 1, line 15, after "board," insert "**a school corporation, a school,**"

Page 2, line 2, delete "3." and insert "2."

Page 2, line 4, after "student" insert "**in kindergarten through grade 12**".

Page 2, line 7, delete "4." and insert "3."

Page 2, line 7, delete "not".

Page 2, line 8, delete "located outside Indiana unless all" and insert "**only under the following circumstances:**

(1) For a student who transfers to another public or nonpublic school.

(2) For a student who attends a postsecondary educational institution or a training program.

(3) For a student who registers for or takes part in a national or multistate assessment.

(4) When an agency enters into:

(A) a contract that governs data bases, assessments, special education, or instructional, management, or operational supports with a third party;

(B) a data sharing agreement with an entity, acting on behalf of the agency, to conduct an audit or evaluation of a state or federally funded program; or

(C) a data sharing agreement with a researcher or research agency to conduct research on the agency's behalf.

(5) For a student who is classified as a migrant for federal reporting purposes."

Page 2, delete line 9.

Re-number all SECTIONS consecutively.

(Reference is to SB 277 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 10, Nays 0.

KRUSE, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Homeland Security, Transportation and Veterans Affairs, to which was

referred Senate Bill 278, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

Committee Vote: Yeas 8, Nays 0.

WYSS, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Education and Career Development, to which was referred Senate Bill 282, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 2, line 18, delete ":" and insert ",".

Page 2, line 18, reset in roman "the maximum choice scholarship that the".

Page 2, reset in roman lines 19 through 20.

(Reference is to SB 282 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 7, Nays 4.

KRUSE, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Education and Career Development, to which was referred Senate Bill 284, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 1, line 7, strike "after".

Page 1, line 7, delete "July 15" and insert "**less than fourteen (14) days before the day on which teachers must report for work**".

(Reference is to SB 284 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 11, Nays 0.

KRUSE, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Judiciary, to which was referred Senate Bill 290, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Delete the title and insert the following:

A BILL FOR AN ACT concerning civil procedure.

Delete everything after the enacting clause and insert the following:

SECTION 1. [EFFECTIVE JULY 1, 2014] **(a) As used in this SECTION, "commission" refers to the commission on courts established by IC 33-23-10-1.**

(b) The general assembly urges the legislative council to assign to the commission or another appropriate study

committee the task of studying medical debt collection in small claims courts.

(c) If the commission or another appropriate committee is assigned the topic described in subsection (b), the commission or committee shall issue to the legislative council a final report containing the commission's or committee's findings and recommendations, including any recommended legislation concerning the topic, in an electronic format under IC 5-14-6 not later than November 1, 2014.

(d) This SECTION expires January 1, 2015.

(Reference is to SB 290 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 7, Nays 0.

STEELE, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Health and Provider Services, to which was referred Senate Bill 292, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 1, line 3, delete "(a)".

Page 1, line 3, delete "shall" and insert "**may**".

Page 1, line 4, delete "." and insert "**and may conduct a complaint inspection as needed.**".

Page 1, delete lines 5 through 15, begin a new paragraph and insert:

"SECTION 2. IC 16-34-2-1.1, AS AMENDED BY P.L.232-2013, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 1.1. (a) An abortion shall not be performed except with the voluntary and informed consent of the pregnant woman upon whom the abortion is to be performed. Except in the case of a medical emergency, consent to an abortion is voluntary and informed only if the following conditions are met:

(1) At least eighteen (18) hours before the abortion and in the presence of the pregnant woman, the physician who is to perform the abortion, the referring physician or a physician assistant (as defined in IC 25-27.5-2-10), an advanced practice nurse (as defined in IC 25-23-1-1(b)), or a certified nurse midwife (as defined in IC 34-18-2-6.5) to whom the responsibility has been delegated by the physician who is to perform the abortion or the referring physician has informed the pregnant woman orally and in writing of the following:

(A) The name of the physician performing the abortion, the physician's medical license number, and an emergency telephone number where the physician or the physician's designee may be contacted on a twenty-four (24) hour a day, seven (7) day a week basis.

(B) That follow-up care by the physician or the physician's designee (if the designee is licensed under IC 25-22.5) and is available on an appropriate and timely basis when clinically necessary.

(C) The nature of the proposed procedure or information concerning the abortion inducing drug.

(D) Objective scientific information of the risks of and alternatives to the procedure or the use of an abortion inducing drug, including:

(i) the risk of infection and hemorrhage;

(ii) the potential danger to a subsequent pregnancy; and

(iii) the potential danger of infertility.

(E) That human physical life begins when a human ovum is fertilized by a human sperm.

(F) The probable gestational age of the fetus at the time the abortion is to be performed, including:

(i) a picture of a fetus;

(ii) the dimensions of a fetus; and

(iii) relevant information on the potential survival of an unborn fetus;

at this stage of development.

(G) That objective scientific information shows that a fetus can feel pain at or before twenty (20) weeks of postfertilization age.

(H) The medical risks associated with carrying the fetus to term.

(I) The availability of fetal ultrasound imaging and auscultation of fetal heart tone services to enable the pregnant woman to view the image and hear the heartbeat of the fetus and how to obtain access to these services.

(J) That the pregnancy of a child less than fifteen (15) years of age may constitute child abuse under Indiana law if the act included an adult and must be reported to the department of child services or the local law enforcement agency under IC 31-33-5.

(2) At least eighteen (18) hours before the abortion, the pregnant woman will be informed orally and in writing of the following:

(A) That medical assistance benefits may be available for prenatal care, childbirth, and neonatal care from the county office of the division of family resources.

(B) That the father of the unborn fetus is legally required to assist in the support of the child. In the case of rape, the information required under this clause may be omitted.

(C) That adoption alternatives are available and that adoptive parents may legally pay the costs of prenatal care, childbirth, and neonatal care.

(D) That there are physical risks to the pregnant woman in having an abortion, both during the abortion procedure and after.

(E) That Indiana has enacted the safe haven law under IC 31-34-2.5.

(F) The:

(i) Internet web site address of the state department of health's web site; and

(ii) description of the information that will be provided on the web site and that are;

described in section 1.5 of this chapter.

(G) For the facility in which the abortion is to be performed, an emergency telephone number that is available and answered on a twenty-four (24) hour

a day, seven (7) day a week basis.

(3) The pregnant woman certifies in writing, on a form developed by the state department, before the abortion is performed, that:

(A) the information required by subdivisions (1) and (2) has been provided to the pregnant woman;

(B) the pregnant woman has been offered by the provider the opportunity to view the fetal ultrasound imaging and hear the auscultation of the fetal heart tone if the fetal heart tone is audible and that the woman has:

(i) viewed or refused to view the offered fetal ultrasound imaging; and

(ii) listened to or refused to listen to the offered auscultation of the fetal heart tone if the fetal heart tone is audible; and

(C) the pregnant woman has been given a written copy of the printed materials described in section 1.5 of this chapter.

(4) At least eighteen (18) hours before the abortion and in the presence of the pregnant woman, the physician who is to perform the abortion, the referring physician or a physician assistant (as defined in IC 25-27.5-2-10), an advanced practice nurse (as defined in IC 25-23-1-1(b)), or a midwife (as defined in IC 34-18-2-19) to whom the responsibility has been delegated by the physician who is to perform the abortion or the referring physician has provided the pregnant woman with a color copy of the informed consent brochure described in section 1.5 of this chapter by printing the informed consent brochure from the state department's Internet web site and including the following information on the back cover of the brochure:

(A) The name of the physician performing the abortion and the physician's medical license number.

(B) An emergency telephone number where the physician or the physician's designee may be contacted twenty-four (24) hours a day, seven (7) days a week.

(C) A statement that follow-up care by the physician or the physician's designee who is licensed under IC 25-22.5 is available on an appropriate and timely basis when clinically necessary.

(D) The name and telephone number of the hospital where the physician who is to perform the abortion has admitting privileges.

(b) Before an abortion is performed, the provider shall perform, and the pregnant woman shall view, the fetal ultrasound imaging and hear the auscultation of the fetal heart tone if the fetal heart tone is audible unless the pregnant woman certifies in writing, on a form developed by the state department, before the abortion is performed, that the pregnant woman:

(1) does not want to view the fetal ultrasound imaging; and

(2) does not want to listen to the auscultation of the fetal heart tone if the fetal heart tone is audible.

SECTION 3. IC 16-34-2-4.5, AS ADDED BY P.L.193-2011, SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 4.5. (a) A physician may not perform an abortion unless the physician:

(1) has admitting privileges **in writing** at a hospital located in the county where abortions are provided or **in a**

contiguous county; or

(2) has entered into ~~an~~ **a written** agreement with a physician who has **written** admitting privileges at a hospital in the county or contiguous county concerning the management of possible complications of the services provided.

(b) A physician who performs an abortion shall notify the patient of the location of the hospital at which the physician or a physician with whom the physician has entered into an agreement under subsection (a)(2) has admitting privileges and where the patient may receive follow-up care by the physician if complications arise.

(c) An abortion clinic shall:

(1) keep at the abortion clinic a copy of the admitting privileges of a physician described in subsection (a)(1) and (a)(2); and

(2) provide a copy of the admitting privileges described in subdivision (1) to the state department."

Page 2, delete lines 1 through 7.

Renumber all SECTIONS consecutively.

(Reference is to SB 292 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 8, Nays 2.

PATRICIA MILLER, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Pensions and Labor, to which was referred Senate Bill 294, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 3, line 13, delete "An amount not to exceed".

Page 3, line 13, reset in roman "Two".

Page 3, line 13, delete "one".

Page 3, line 13, delete "fifty".

Page 3, line 14, reset in roman "(200%)".

Page 3, line 14, delete "(150%)".

Page 3, delete lines 19 through 32.

Page 3, strike lines 33 through 34.

Page 3, line 35, strike "exceed the".

Page 3, line 35, delete "amount of the medical service facility's actual".

Page 3, line 36, delete "acquisition cost as evidenced by an".

Page 3, line 36, strike "invoice".

Page 3, line 36, delete "from the implant".

Page 3, line 37, delete "manufacturer to the medical service facility".

Page 3, line 37, strike "plus twenty-five percent".

Page 3, line 38, strike "(25%)".

Page 3, line 38, delete "The actual acquisition cost must be reduced by the amount".

Page 3, delete lines 39 through 42.

Page 4, delete line 1.

Page 4, line 2, strike "(d)" and insert "(c)".

Page 4, line 17, strike "(e)" and insert "(d)".

Page 10, line 16, delete "The term does".

Page 10, delete lines 17 through 19.
 Page 11, line 15, delete "An amount not to exceed".
 Page 11, line 15, reset in roman "Two".
 Page 11, line 15, delete "one".
 Page 11, line 15, delete "fifty".
 Page 11, line 16, reset in roman "(200%)".
 Page 11, line 16, delete "(150%)".
 Page 11, delete lines 21 through 35.
 Page 17, line 13, delete "The term does not include a".
 Page 17, delete lines 14 through 16.
 Page 18, line 12, delete "An amount not to exceed".
 Page 18, line 12, reset in roman "Two".
 Page 18, line 12, delete "one".
 Page 18, line 12, delete "fifty".
 Page 18, line 13, reset in roman "(200%)".
 Page 18, line 13, delete "(150%)".
 Page 18, delete lines 18 through 32.
 Page 19, line 36, delete "An amount not to exceed".
 Page 19, line 36, reset in roman "Two".
 Page 19, line 36, delete "one".
 Page 19, line 36, delete "fifty".
 Page 19, line 37, reset in roman "(200%)".
 Page 19, line 37, delete "(150%)".
 Page 19, delete line 42.
 Page 20, delete lines 1 through 13.
 Page 20, strike lines 14 through 15.
 Page 20, delete line 16.
 Page 20, line 17, delete "evidenced by an".
 Page 20, line 17, strike "invoice".
 Page 20, line 17, delete "from the implant manufacturer to".
 Page 20, line 18, delete "the medical service facility".
 Page 20, line 18, strike "plus twenty-five percent (25%)".
 Page 20, line 18, after "(25%)." delete "The".
 Page 20, delete lines 19 through 24.
 Page 20, line 25, strike "(d)" and insert "(c)".
 Page 20, line 40, strike "(e)" and insert "(d)".
 (Reference is to SB 294 as introduced.)
 and when so amended that said bill do pass.
 Committee Vote: Yeas 7, Nays 0.

BOOTS, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Appropriations, to which was referred Senate Bill 308, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 3, line 7, after "(c)" insert "**This subsection applies only to a tax area located in Allen County.**".
 Page 3, line 7, delete "May 1, 2016," and insert "**January 1, 2015,**".
 Page 3, line 7, after "area" insert "**located in Allen County**".
 Page 3, reset in roman lines 31 through 32.
 Page 3, line 32, after "2027." insert "**However, in the case of a tax area located in Allen County, the resolution must provide that the tax area terminates before the later of**

January 1, 2028, or if the designating body takes final action on the financing for the facility or proposed facility before January 1, 2015, a date agreed to jointly by the budget agency and the designating body that established the tax area. However, the date agreed to jointly may not be later than twenty-five (25) years after the debt to finance the facility or proposed facility is issued. The budget agency must approve the final financing for the facility or proposed facility. Any bonds issued to finance the facility or proposed facility must have a maturity of less than twenty-five (25) years."

(Reference is to SB 308 as introduced.)
 and when so amended that said bill do pass.
 Committee Vote: Yeas 11, Nays 0.

KENLEY, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Appropriations, to which was referred Senate Bill 312, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 5, line 6, delete "subsection (b);" and insert "**section 1 of this chapter;**".
 Page 5, line 20, delete "an" and insert "**a**".
 Page 6, delete lines 9 through 10, begin a new paragraph and insert:
"Sec. 7. The person to whom a prize from the state lottery commission is assigned must provide the information that the state lottery commission determines is necessary to make the assignment of the prize, including the person's correct name, the person's appropriate address, and the necessary tax identification numbers and information."

Page 6, after line 21, begin a new paragraph and insert:
"Sec 9. If the department of state revenue issues a determination, ruling, or finding to the commission or any lottery winner declaring that the voluntary assignment of a prize will reduce the state income tax due on the prize, the department of state revenue shall file the determination, ruling, or finding with the lottery commission, the attorney general's office, and the Indiana judicial center. A court may not issue an order authorizing a voluntary assignment of a prize after the date the determination, ruling, or finding is filed."

(Reference is to SB 312 as printed January 24, 2014.)
 and when so amended that said bill do pass.
 Committee Vote: Yeas 11, Nays 0.

KENLEY, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Local Government, to which was referred Senate Bill 313, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended

as follows:

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

"SECTION 1. IC 32-30-6-7, AS AMENDED BY P.L.82-2005, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 7. (a) An action to abate or enjoin a nuisance may be brought by any person whose:

- (1) property is injuriously affected; or
- (2) personal enjoyment is lessened;

by the nuisance.

(b) A civil action to abate or enjoin a nuisance may also be brought by:

- (1) an attorney representing the county in which a nuisance exists; or
- (2) the attorney of any city or town in which a nuisance exists.

(c) A county, city, or town that brings a successful action under this section (~~or IC 34-1-52-2 or IC 34-19-1-2 before their repeal~~) to abate or enjoin a nuisance ~~caused by the unlawful dumping of solid waste~~ is entitled to recover reasonable attorney's fees incurred in bringing the action.

(d) A ~~forestry operation person~~ that successfully defends an action under this section is entitled to reasonable costs and attorney's fees incurred in defending the action.

SECTION 2. [EFFECTIVE JULY 1, 2014] (a) As used in this SECTION, "legislative council" refers to the legislative council established by IC 2-5-1.1-1.

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

- (1) A statutory committee established under IC 2-5.
- (2) An interim study committee.

(c) **The legislative council is urged to assign to a study committee, during the 2014 legislative interim, the topic of authorizing a county, city, or town to collect a law enforcement run fee from a property owner, if law enforcement officers of the unit are dispatched to a property multiple times within a year to investigate an alleged occurrence of criminal activity on the property.**

(d) **If the topic described in subsection (c) is assigned to a study committee, the study committee shall issue a final report to the legislative council containing the study committee's findings and recommendations, including any recommended legislation concerning the topic, in an electronic format under IC 5-14-6 not later than November 1, 2014.**

(e) **This SECTION expires December 31, 2014."**

Delete pages 2 through 3.

(Reference is to SB 313 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 8, Nays 1.

HEAD, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Appropriations, to which was referred Senate Bill 321, has had the same under

consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Replace the effective date in SECTION 9 with "[EFFECTIVE UPON PASSAGE]".

Page 1, delete lines 1 through 8.

Page 2, line 2, strike "a charter school" and insert "**an organizer**".

Page 2, line 4, after "each" insert "**charter school**".

Page 2, delete lines 7 through 12.

Page 2, line 35, after "attend the" insert "**same**".

Page 2, line 36, delete "." and insert "**the student is attending**".

Page 3, delete lines 2 through 42.

Page 4, delete lines 1 through 16.

Page 4, between lines 27 and 28, begin a new paragraph and insert:

"(d) Notwithstanding IC 20-43, an organizer that operates more than one (1) charter school may file, before July 1, 2014, a notice with the department that the organizer desires to receive the tuition support distributions for the state fiscal year beginning July 1, 2014, for all of the charter schools that the organizer operates. After the department verifies that the organizer operates the charter schools, the department shall distribute the tuition support for the verified charter schools to the organizer. The organizer may distribute the tuition support distribution it receives to each charter school it operates in the amounts determined by the organizer. However, an organizer that receives money from the state under this subsection may not use any of the money received for expenses incurred outside Indiana or attributable to out-of-state activities."

Page 4, delete lines 28 through 42.

Delete pages 5 through 8.

Page 9, delete lines 1 through 35, begin a new paragraph and insert:

"SECTION 4. An emergency is declared for this act."

Renumber all SECTIONS consecutively.

(Reference is to SB 321 as printed January 24, 2014.)

and when so amended that said bill do pass.

Committee Vote: Yeas 9, Nays 2.

KENLEY, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Education and Career Development, to which was referred Senate Bill 322, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 1, line 10, after "either" insert "":

(A)".

Page 1, line 10, after "board" insert ":",

Page 1, line 10, after "or" begin a new line double block indented and insert:

"(B) for a school that is an eligible school on January 1, 2014,".

Page 1, line 14, after "IC 20-32-5" insert ";;".
 Page 1, line 14, delete "or a nationally".
 Page 1, delete line 15.
 Page 2, line 24, delete ":".
 Page 2, line 25, delete "(1)".
 Page 2, line 25, after "school" insert **"that is accredited by a national or regional accreditation agency recognized by the state board"**.
 Page 2, run in lines 24 through 25.
 Page 2, line 26, after "to" insert **"determine the school's eligibility to participate in the choice scholarship program or to"**.
 Page 2, line 26, after "out" insert **"section 9 of"**.
 Page 2, line 26, delete ";" and insert ".".
 Page 2, delete lines 27 through 28.
 (Reference is to SB 322 as introduced.)
 and when so amended that said bill do pass.
 Committee Vote: Yeas 8, Nays 3.

KRUSE, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Local Government, to which was referred Senate Bill 329, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:
 Page 2, between lines 1 and 2, begin a new line block indented and insert:
"(10) Basement or (if applicable) crawl space."
 Page 2, line 2, delete "(10)" and insert "(11)".
 Page 2, delete lines 4 through 37.
 (Reference is to SB 329 as introduced.)
 and when so amended that said bill do pass.
 Committee Vote: Yeas 8, Nays 0.

HEAD, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Financial Institutions, to which was referred Senate Bill 334, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:
 Page 2, line 27, after "However, a" delete "depository" and insert **"federal savings bank"**.
 Page 2, line 28, delete "institution".
 Page 2, line 29, delete "retaining and".
 Page 2, line 30, delete "contract," and insert **"agreement,"**.
 Page 2, line 32, delete "and".
 Page 2, line 33, delete "depository institution's" and insert **"federal savings bank's"**.
 Page 2, line 34, after "control," insert **"and who hold a current, valid insurance producer license under IC 27-1-15.6,"**.
 Page 2, line 34, delete "depository institution" and insert

"federal savings bank".
 Page 2, line 37, after "licensed" insert **"mortgage"**.
 Page 2, line 37, delete "retained and".
 Page 3, line 7, after "licensed" insert **"mortgage"**.
 Page 3, line 7, delete "retained and".
 Page 3, line 8, delete "depository institution" and insert **"federal savings bank"**.
 Page 3, between lines 9 and 10, begin a new line triple block indented and insert:
"(iv) Agrees to comply with all law, rules, directives, and orders in connection with the activities of the licensed mortgage loan originators sponsored by the federal savings bank, as the director determines necessary to ensure compliance with the federal Secure and Fair Enforcement for Mortgage Licensing Act of 2008 (12 U.S.C. 5101 et seq.) and with Indiana law."
 Page 5, line 25, delete "retains and".
 Page 5, line 26, delete "contract," and insert **"agreement,"**.
 Page 5, line 30, delete "retained and".
 Page 5, line 30, delete "contract" and insert **"agreement"**.
 Page 6, line 22, delete "retains and".
 Page 6, line 23, delete "contract," and insert **"agreement,"**.
 Page 6, line 30, delete "retains and".
 Page 6, line 31, delete "contract" and insert **"agreement"**.
 Page 6, line 39, delete "retains and".
 Page 6, line 40, delete "contract" and insert **"agreement"**.
 Page 7, line 6, delete "retain and".
 Page 7, line 7, delete "contract" and insert **"agreement"**.
 Page 8, line 26, delete "depository institution" and insert **"federal savings bank"**.
 Page 8, line 28, delete "retaining and".
 Page 8, line 29, delete "contract," and insert **"agreement,"**.
 Page 8, line 34, delete "loan originators retained and" and insert **"mortgage loan originators"**.
 Page 8, line 35, delete "depository institution." and insert **"federal savings bank."**.
 Page 9, line 5, delete "retains and".
 Page 9, line 6, delete "contract," and insert **"agreement,"**.
 Page 9, line 14, delete "retains and".
 Page 9, line 15, delete "contract," and insert **"agreement,"**.
 Page 10, line 24, delete ";" and insert **"a licensed mortgage loan originator;"**.
 Page 10, line 25, delete "retains and".
 Page 10, line 26, delete "contract," and insert **"agreement,"**.
 Page 10, line 26, delete ";" and insert ";;".
 Page 10, line 27, delete ";" and insert **"as an independent agent;"**.
 Page 10, run in lines 26 through 27.
 Page 10, line 30, delete "retained and".
 Page 10, line 30, delete "contract" and insert **"agreement"**.
 Page 10, line 31, delete "IC 24-4.4-1-202(b)(6)(a)," and insert **"IC 24-4.4-1-202(b)(6)(a) and as an independent agent,"**.
 Page 11, line 16, delete ";" and insert **"a licensed mortgage loan originator;"**.
 Page 11, line 17, delete "retains and".

Page 11, line 18, delete "contract," and insert "agreement,".

Page 11, line 18, delete ";" and insert ",".

Page 11, line 19, delete ";" and insert "**as an independent agent;**".

Page 11, run in lines 18 through 19.

Page 11, line 31, delete ", or retains and" and insert "**a licensed mortgage loan originator, or**".

Page 11, line 32, delete "contract" and insert "agreement".

Page 11, line 33, delete ",".

Page 11, line 34, delete ";" and insert "**as an independent agent;**".

Page 11, line 40, delete "," and insert "**a licensed mortgage loan originator,**".

Page 11, line 41, delete "retain and".

Page 11, line 41, delete "contract" and insert "agreement".

Page 11, line 42, delete ",".

Page 12, line 1, after "originator" insert "**as an independent agent,**".

Page 13, line 23, delete "retains and".

Page 13, line 24, after "originators" insert "**as independent agents**".

Page 13, line 25, delete "contract," and insert "agreement,".

Page 13, line 29, after "licensed" insert "mortgage".

Page 13, line 29, delete "retained and".

Page 13, line 30, delete "depository institution." and insert "**federal savings bank.**".

Page 14, line 2, delete ";" and insert "**one (1) or more licensed mortgage loan originators;**".

Page 14, line 3, delete "**retains and**".

Page 14, line 4, delete "contract," and insert "agreement,".

Page 14, line 4, delete ";" and insert ",".

Page 14, line 5, delete ";" and insert "**as independent agents;**".

Page 14, run in lines 4 through 5.

(Reference is to SB 334 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 7, Nays 0.

HOLDMAN, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Appropriations, to which was referred Senate Bill 335, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Delete everything after the enacting clause and insert the following:

SECTION 1. IC 10-19-3-3, AS AMENDED BY P.L.27-2010, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 3. The executive director shall do the following:

(1) Serve as the chief executive and administrative officer of the department.

(2) Serve as the director of the council.

(3) Administer the application for, and disbursement of, federal and state homeland security money for all Indiana state and local governments.

(4) Develop a single strategic plan for preparing and responding to homeland security emergencies in consultation with the council.

(5) Serve as the state coordinating officer under federal law for all matters relating to emergency and disaster mitigation, preparedness, response, and recovery.

(6) Use and allocate the services, facilities, equipment, personnel, and resources of any state agency, on the governor's behalf, as is reasonably necessary in the preparation for, response to, or recovery from an emergency or disaster situation that threatens or has occurred in Indiana.

(7) Develop a plan to protect key state assets and public infrastructure from a disaster or terrorist attack.

(8) Not later than July 1, 2015, develop and implement protocols for the appropriate and consistent usage of severe weather warning sirens (as defined in IC 36-8-21.5-8) throughout the state. The protocols shall include the following:

(A) Operational guidelines for the use of severe weather warning sirens to signal severe weather.

(B) Public awareness education.

This subdivision expires December 31, 2015.

(Reference is to SB 335 as printed January 24, 2014.)

and when so amended that said bill do pass.

Committee Vote: Yeas 11, Nays 0.

KENLEY, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Homeland Security, Transportation and Veterans Affairs, to which was referred Senate Bill 343, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

Committee Vote: Yeas 8, Nays 0.

WYSS, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Education and Career Development, to which was referred Senate Bill 344, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 1, delete lines 1 through 16.

Delete pages 2 through 3.

Page 4, delete lines 1 through 8.

Page 4, line 19, delete "The state superintendent".

Page 4, delete lines 20 through 42, begin a new paragraph and insert:

"(d) The division shall:

- (1) establish and maintain guidelines for using professional architectural and engineering services to integrate physical security improvements and safety practices in the construction, renovation, repair, or alteration of a school facility;
- (2) carry out the department's responsibilities with regards to the school safety specialist training and certification program established in IC 5-2-10.1-11;
- (3) establish and maintain guidelines for establishing emergency response protocols in cooperation with other state agencies;
- (4) carry out the department's responsibilities under IC 5-2-10.1-12;
- (5) coordinate the department's response and recovery assistance to a school in the event of a man made or natural disaster;
- (6) provide information and guidance to assist school corporations or schools to establish mutual aid disaster assistance agreements with other schools or school corporations; and
- (7) study and collect information to integrate lessons learned from previous school disasters throughout the country into the curriculum of the school safety specialist training and certification program established in IC 5-2-10.1-11 and guidelines established by the division under this subsection.

(e) The division may, upon request by a school corporation:

- (1) review a school safety plan;
- (2) provide an onsite safety review for a school; and
- (3) provide guidance or assistance relating to school safety matters to the school corporation.

(f) The division shall maintain a secure Internet web site to provide school officials and public safety officials access to information that is considered classified under IC 5-14-3-4 or other sensitive information which may assist school officials and public safety officials to improve school safety or respond to a man made or natural disaster.

(g) The division shall maintain a public Internet web site which contains:

- (1) the guidelines established by the division under subsection (d);
- (2) best practices pertaining to school safety; and
- (3) any other information the division determines may be necessary to carry out the division's duties or responsibilities under this section."

(Reference is to SB 344 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 11, Nays 0.

KRUSE, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Judiciary, to which was referred Senate Bill 366, has had the same under consideration and begs leave to report the same back to the

Senate with the recommendation that said bill be amended as follows:

Page 4, line 39, delete "After" and insert "Except as provided in subsection (b), after".

Page 4, line 40, reset in roman "may".

Page 4, line 40, delete "shall".

Page 5, between lines 5 and 6, begin a new paragraph and insert:

"(b) If the judgment debtor has failed to comply with an agreed order in the action, after a hearing of which the judgment debtor has been notified, the court shall order:

- (1) any property, income, or profits of the judgment debtor not exempt from execution or process, in the hands either of the judgment debtor or of any other person; or
- (2) any debt due to the judgment debtor;

to be applied to the satisfaction of the judgment and forbid transfers of property and choses in action."

Page 5, line 6, strike "(b)" and insert "(c)".

Page 5, line 16, strike "(c)" and insert "(d)".

Page 5, line 27, strike "(d)" and insert "(e)".

Page 5, line 28, strike "(c)," and insert "(d)".

Page 5, line 33, strike "(e)" and insert "(f)".

Page 5, line 33, strike "(d)," and insert "(e)".

Page 5, line 37, strike "(f)" and insert "(g)".

Page 5, line 38, strike "(c)" and insert "(d)".

Page 5, after line 41, begin a new paragraph and insert:

"SECTION 7. [EFFECTIVE JULY 1, 2014] (a) As used in this SECTION, "commission" refers to the commission on courts established by IC 33-23-10-1.

(b) The general assembly urges the legislative council to assign to the commission or another appropriate study committee the task of studying:

- (1) small claims court administration;
- (2) the jurisdictional amount in small claims actions; and
- (3) venue and the distribution of judicial resources in small claims actions.

(c) If the commission or another appropriate committee is assigned the topic described in subsection (b), the commission or committee shall issue to the legislative council a final report containing the commission's or committee's findings and recommendations, including any recommended legislation concerning the topic, in an electronic format under IC 5-14-6 not later than November 1, 2014.

(d) This SECTION expires January 1, 2015."

(Reference is to SB 366 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 5, Nays 4.

STEELE, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Appropriations, to which was referred Senate Bill 367, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as

follows:

Page 27, between lines 23 and 24, begin a new paragraph and insert:

"SECTION 21. IC 6-1.1-15-12, AS AMENDED BY P.L.172-2011, SECTION 31, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 12. (a) Subject to the limitations contained in subsections (c) and (d), a county auditor shall correct errors which are discovered in the tax duplicate for any one (1) or more of the following reasons:

- (1) The description of the real property was in error.
- (2) The assessment was against the wrong person.
- (3) Taxes on the same property were charged more than one (1) time in the same year.
- (4) There was a mathematical error in computing the taxes or penalties on the taxes.
- (5) There was an error in carrying delinquent taxes forward from one (1) tax duplicate to another.
- (6) The taxes, as a matter of law, were illegal.
- (7) There was a mathematical error in computing an assessment.
- (8) Through an error of omission by any state or county officer, the taxpayer was not given:
 - (A) the proper credit under IC 6-1.1-20.6-7.5 for property taxes imposed for an assessment date after January 15, 2011;
 - (B) any other credit permitted by law;
 - (C) an exemption permitted by law; or
 - (D) a deduction permitted by law.

(b) The county auditor shall correct an error described under subsection (a)(1), (a)(2), (a)(3), (a)(4), or (a)(5) when the county auditor finds that the error exists.

(c) If the tax is based on an assessment made or determined by the department of local government finance, the county auditor shall not correct an error described under subsection (a)(6), (a)(7), or (a)(8) until after the correction is either approved by the department of local government finance or ordered by the tax court.

(d) If the tax is not based on an assessment made or determined by the department of local government finance, the county auditor shall correct an error described under subsection (a)(6), (a)(7), or (a)(8) only if the correction is first approved by at least two (2) of the following officials:

- (1) The township assessor (if any).
- (2) The county auditor.
- (3) The county assessor.

If two (2) of these officials do not approve such a correction, the county auditor shall refer the matter to the county board for determination. The county board shall provide a copy of the determination to the taxpayer and to the county auditor.

(e) A taxpayer may appeal a determination of the county board to the Indiana board for a final administrative determination. An appeal under this section shall be conducted in the same manner as appeals under sections 4 through 8 of this chapter. The Indiana board shall send the final administrative determination to the taxpayer, the county auditor, the county assessor, and the township assessor (if any).

(f) If a correction or change is made in the tax duplicate after

it is delivered to the county treasurer, the county auditor shall transmit a certificate of correction to the county treasurer. The county treasurer shall keep the certificate as the voucher for settlement with the county auditor.

(g) A taxpayer that files a personal property tax return under IC 6-1.1-3 may not petition under this section for the correction of an error made by the taxpayer on the taxpayer's personal property tax return. If the taxpayer wishes to correct an error made by the taxpayer on the taxpayer's personal property tax return, the taxpayer must instead file an amended personal property tax return under IC 6-1.1-3-7.5.

(h) A taxpayer that files a statement under IC 6-1.1-8-19 may not petition under this section for the correction of an error made by the taxpayer on the taxpayer's statement. If the taxpayer wishes to correct an error made by the taxpayer on the taxpayer's statement, the taxpayer must instead initiate an objection under IC 6-1.1-8-28 or an appeal under IC 6-1.1-8-30.

(i) IC 6-1.1-26-1 applies to a tax refund based on a correction of error under this section."

Page 31, line 15, after "shall" insert ", **unless the department finds extenuating circumstances,"**.

Page 31, line 30, delete "a" and insert "**an adopted**".

Page 31, line 31, after "shall" insert ", **unless the department finds extenuating circumstances,"**.

Page 31, line 31, after "the" insert "**adopted**".

Page 31, after line 42, begin a new paragraph and insert:

"SECTION 23. IC 6-1.1-18.5-13.7, AS ADDED BY P.L.172-2011, SECTION 40, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 13.7. (a) Notwithstanding any other provision of this chapter, Fairfield Township in Tippecanoe County may request that the department of local government finance make an adjustment to the township's maximum permissible property tax levy. ~~The request by the township under this section must be filed before September 1, 2011.~~

(b) The amount of the requested adjustment may not exceed one hundred thirty thousand dollars (\$130,000) for each year.

(c) ~~If the For a township makes that made~~ a request for an adjustment in an amount not exceeding the limit prescribed by subsection (b), the department of local government finance shall make the adjustment ~~each year (beginning with property taxes first due and payable in 2012)~~ **a permanent adjustment** to the township's maximum permissible ad valorem property tax levy. ~~for the number of years requested by the township (but not to exceed a total of four (4) years):~~

~~(d) This section expires July 1, 2016: "~~

Page 32, delete lines 1 through 18, begin a new paragraph and insert:

"SECTION 24. IC 6-1.1-20-3.5, AS AMENDED BY P.L.218-2013, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 3.5. (a) This section applies only to a controlled project that meets the following conditions:

(1) The controlled project is described in one (1) of the following categories:

(A) An elementary school building, middle school building, high school building, or other school building

for academic instruction that:

- (i) will be used for any combination of kindergarten through grade 12; and
- (ii) will cost more than ten million dollars (\$10,000,000).

(B) Any other controlled project that:

- (i) is not a controlled project described in clause (A); and
- (ii) ~~will~~ **with the cost of which paid by** the political subdivision ~~more than from bond proceeds will not exceed~~ the lesser of twelve million dollars (\$12,000,000) or an amount equal to one percent (1%) of the total gross assessed value of property within the political subdivision on the last assessment date (if that amount is at least one million dollars (\$1,000,000)).

(2) The proper officers of the political subdivision make a preliminary determination after June 30, 2008, in the manner described in subsection (b) to issue bonds or enter into a lease for the controlled project.

(b) A political subdivision may not impose property taxes to pay debt service on bonds or lease rentals on a lease for a controlled project without completing the following procedures:

(1) The proper officers of a political subdivision shall publish notice in accordance with IC 5-3-1 and send notice by first class mail to the circuit court clerk and to any organization that delivers to the officers, before January 1 of that year, an annual written request for notices of any meeting to consider the adoption of an ordinance or a resolution making a preliminary determination to issue bonds or enter into a lease and shall conduct a public hearing on the preliminary determination before adoption of the ordinance or resolution. The political subdivision must make the following information available to the public at the public hearing on the preliminary determination, in addition to any other information required by law:

(A) The result of the political subdivision's current and projected annual debt service payments divided by the net assessed value of taxable property within the political subdivision.

(B) The result of:

- (i) the sum of the political subdivision's outstanding long term debt plus the outstanding long term debt of other taxing units that include any of the territory of the political subdivision; divided by
- (ii) the net assessed value of taxable property within the political subdivision.

(C) The information specified in subdivision (3)(A) through (3)(G).

(2) If the proper officers of a political subdivision make a preliminary determination to issue bonds or enter into a lease, the officers shall give notice of the preliminary determination by:

- (A) publication in accordance with IC 5-3-1; and
- (B) first class mail to the circuit court clerk and to the organizations described in subdivision (1).

(3) A notice under subdivision (2) of the preliminary determination of the political subdivision to issue bonds or enter into a lease must include the following information:

- (A) The maximum term of the bonds or lease.
- (B) The maximum principal amount of the bonds or the maximum lease rental for the lease.
- (C) The estimated interest rates that will be paid and the total interest costs associated with the bonds or lease.
- (D) The purpose of the bonds or lease.
- (E) A statement that the proposed debt service or lease payments must be approved in an election on a local public question held under section 3.6 of this chapter.
- (F) With respect to bonds issued or a lease entered into to open:

- (i) a new school facility; or
- (ii) an existing facility that has not been used for at least three (3) years and that is being reopened to provide additional classroom space;

the estimated costs the school corporation expects to annually incur to operate the facility.

(G) The political subdivision's current debt service levy and rate and the estimated increase to the political subdivision's debt service levy and rate that will result if the political subdivision issues the bonds or enters into the lease.

(H) The information specified in subdivision (1)(A) through (1)(B).

(4) After notice is given, a petition requesting the application of the local public question process under section 3.6 of this chapter may be filed by the lesser of:

- (A) one hundred (100) persons who are either owners of property within the political subdivision or registered voters residing within the political subdivision; or
- (B) five percent (5%) of the registered voters residing within the political subdivision.

(5) The state board of accounts shall design and, upon request by the county voter registration office, deliver to the county voter registration office or the county voter registration office's designated printer the petition forms to be used solely in the petition process described in this section. The county voter registration office shall issue to an owner or owners of property within the political subdivision or a registered voter residing within the political subdivision the number of petition forms requested by the owner or owners or the registered voter. Each form must be accompanied by instructions detailing the requirements that:

- (A) the carrier and signers must be owners of property or registered voters;
- (B) the carrier must be a signatory on at least one (1) petition;
- (C) after the signatures have been collected, the carrier must swear or affirm before a notary public that the carrier witnessed each signature; and
- (D) govern the closing date for the petition period.

Persons requesting forms may be required to identify themselves as owners of property or registered voters and

may be allowed to pick up additional copies to distribute to other owners of property or registered voters. Each person signing a petition must indicate whether the person is signing the petition as a registered voter within the political subdivision or is signing the petition as the owner of property within the political subdivision. A person who signs a petition as a registered voter must indicate the address at which the person is registered to vote. A person who signs a petition as an owner of property must indicate the address of the property owned by the person in the political subdivision.

(6) Each petition must be verified under oath by at least one (1) qualified petitioner in a manner prescribed by the state board of accounts before the petition is filed with the county voter registration office under subdivision (7).

(7) Each petition must be filed with the county voter registration office not more than thirty (30) days after publication under subdivision (2) of the notice of the preliminary determination.

(8) The county voter registration office shall determine whether each person who signed the petition is a registered voter. However, after the county voter registration office has determined that at least one hundred twenty-five (125) persons who signed the petition are registered voters within the political subdivision, the county voter registration office is not required to verify whether the remaining persons who signed the petition are registered voters. If the county voter registration office does not determine that at least one hundred twenty-five (125) persons who signed the petition are registered voters, the county voter registration office, not more than fifteen (15) business days after receiving a petition, shall forward a copy of the petition to the county auditor. Not more than ten (10) business days after receiving the copy of the petition, the county auditor shall provide to the county voter registration office a statement verifying:

(A) whether a person who signed the petition as a registered voter but is not a registered voter, as determined by the county voter registration office, is the owner of property in the political subdivision; and

(B) whether a person who signed the petition as an owner of property within the political subdivision does in fact own property within the political subdivision.

(9) The county voter registration office, not more than ten (10) business days after determining that at least one hundred twenty-five (125) persons who signed the petition are registered voters or after receiving the statement from the county auditor under subdivision (8) (as applicable), shall make the final determination of whether a sufficient number of persons have signed the petition. Whenever the name of an individual who signs a petition form as a registered voter contains a minor variation from the name of the registered voter as set forth in the records of the county voter registration office, the signature is presumed to be valid, and there is a presumption that the individual is entitled to sign the petition under this section. Except as otherwise provided in this chapter, in determining whether

an individual is a registered voter, the county voter registration office shall apply the requirements and procedures used under IC 3 to determine whether a person is a registered voter for purposes of voting in an election governed by IC 3. However, an individual is not required to comply with the provisions concerning providing proof of identification to be considered a registered voter for purposes of this chapter. A person is entitled to sign a petition only one (1) time in a particular referendum process under this chapter, regardless of whether the person owns more than one (1) parcel of real property, mobile home assessed as personal property, or manufactured home assessed as personal property or a combination of those types of property within the political subdivision and regardless of whether the person is both a registered voter in the political subdivision and the owner of property within the political subdivision. Notwithstanding any other provision of this section, if a petition is presented to the county voter registration office within forty-five (45) days before an election, the county voter registration office may defer acting on the petition, and the time requirements under this section for action by the county voter registration office do not begin to run until five (5) days after the date of the election.

(10) The county voter registration office must file a certificate and each petition with:

(A) the township trustee, if the political subdivision is a township, who shall present the petition or petitions to the township board; or

(B) the body that has the authority to authorize the issuance of the bonds or the execution of a lease, if the political subdivision is not a township;

within thirty-five (35) business days of the filing of the petition requesting the referendum process. The certificate must state the number of petitioners who are owners of property within the political subdivision and the number of petitioners who are registered voters residing within the political subdivision.

(11) If a sufficient petition requesting the local public question process is not filed by owners of property or registered voters as set forth in this section, the political subdivision may issue bonds or enter into a lease by following the provisions of law relating to the bonds to be issued or lease to be entered into.

(c) If the proper officers of a political subdivision make a preliminary determination to issue bonds or enter into a lease, the officers shall provide to the county auditor:

(1) a copy of the notice required by subsection (b)(2); and
(2) any other information the county auditor requires to fulfill the county auditor's duties under section 3.6 of this chapter."

Page 32, delete lines 41 through 42.

Page 33, delete lines 1 through 17, begin a new paragraph and insert:

"SECTION 26. IC 6-2.5-2-3 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 3. (a) As used in this**

section, "motor vehicle" means a vehicle that would be subject to the annual license excise tax imposed under IC 6-6-5 if the vehicle were to be used in Indiana.

(b) Notwithstanding section 2 of this chapter, the state gross retail tax rate on a motor vehicle that a purchaser intends to immediately register, license, and title in another state is the rate of that state as certified by the seller and purchaser in an affidavit containing the information prescribed by the department of state revenue.

SECTION 27. IC 6-2.5-5-46, AS AMENDED BY P.L.288-2013, SECTION 30, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 46. (a) Transactions involving tangible personal property (including materials, parts, equipment, and engines) are exempt from the state gross retail tax, if the property is:

- (1) used;
- (2) consumed; or
- (3) installed;

in furtherance of, or in, the repair, maintenance, refurbishment, remodeling, or remanufacturing of an aircraft or an avionics system of an aircraft.

(b) The exemption provided by this section applies to a transaction only if:

- (1) the retail merchant, at the time of the transaction, possesses a valid repair station certificate issued by the Federal Aviation Administration under 14 CFR 145 et seq. or other applicable law or regulation; or
- (2) the:

(A) retail merchant has leased a facility at a public use airport for the maintenance of aircraft and meets the public use airport owner's minimum standards for an aircraft maintenance facility; and

(B) work is performed by a mechanic who is certified by the Federal Aviation Administration.

(c) The owner of a public use airport shall annually provide to the department the names of retail merchants that have a lease with the public use airport and that perform aircraft maintenance at the public use airport.

SECTION 28. IC 6-3-3-5.1, AS AMENDED BY P.L.2-2007, SECTION 122, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 5.1. (a) At the election of the taxpayer, a credit against the adjusted gross income tax imposed by IC 6-3-1 through IC 6-3-7 for the taxable year, is permitted in an amount (subject to the applicable limitations provided by this section) equal to fifty percent (50%) of the aggregate amount of contributions made by the taxpayer during the taxable year to the twenty-first century scholars program support fund established under IC 21-12-7-1.

(b) In the case of a taxpayer other than a corporation, the amount allowable as a credit under this section for any taxable year may not exceed:

- (1) one hundred dollars (\$100) in the case of a single return; or
- (2) two hundred dollars (\$200) in the case of a joint return.

(c) In the case of a taxpayer that is a corporation, the amount allowable as a credit under this section for any taxable year may not exceed the lesser of the following amounts:

- (1) Ten percent (10%) of the corporation's total adjusted

gross income tax under IC 6-3-1 through IC 6-3-7 for the taxable year (as determined without regard to any credits against that tax).

(2) One thousand dollars (\$1,000).

(d) The credit permitted under this section may not exceed the amount of the adjusted gross income tax imposed by IC 6-3-1 through IC 6-3-7 for the taxable year, reduced by the sum of all credits (as determined without regard to this section) allowed by IC 6-3-1 through IC 6-3-7.

(e) A taxpayer is not entitled to a credit under this section for a contribution made in a taxable year beginning after December 31, 2017.

(f) This section expires January 1, 2019.

SECTION 29. IC 6-3-3-9 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 9. (a) The credit provided by this section shall be known as the unified tax credit for the elderly.

(b) As used in this section, unless the context clearly indicates otherwise:

(1) "Household federal adjusted gross income" means the total adjusted gross income, as defined in Section 62 of the Internal Revenue Code, of an individual, or of an individual and his or her spouse if they reside together for the taxable year for which the credit provided by this section is claimed.

(2) "Household" means a claimant or, if applicable, a claimant and his or her spouse if the spouse resides with the claimant and "household income" means the income of the claimant or, if applicable, the combined income of the claimant and his or her spouse if the spouse resides with the claimant.

(3) "Claimant" means an individual, other than an individual described in subsection (c) of this section, who:

(A) has filed a claim under this section;

(B) was a resident of this state for at least six (6) months during the taxable year for which he or she has filed a claim under this section; and

(C) was sixty-five (65) years of age during some portion of the taxable year for which ~~he~~ **the individual** has filed a claim under this section or whose spouse was either sixty-five (65) years of age or over during the taxable year.

(c) The credit provided under this section shall not apply to an individual who, for a period of at least one hundred eighty (180) days during the taxable year for which ~~he~~ **the individual** has filed a claim under this section, was incarcerated in a local, state, or federal correctional institution.

(d) The right to file a claim under this section shall be personal to the claimant and shall not survive ~~his~~ **the claimant's** death, except that a surviving spouse of a claimant is entitled to claim the credit provided by this section. For purposes of determining the amount of the credit a surviving spouse is entitled to claim under this section, the deceased spouse shall be treated as having been alive on the last day of the taxable year in which the deceased spouse died. When a claimant dies after having filed a timely claim, the amount thereof shall be disbursed to another member of the household as determined by the

commissioner. If the claimant was the only member of **his the claimant's** household, the claim may be paid to **his the claimant's** executor or administrator, but if neither is appointed and qualified within two (2) years of the filing of the claim, the amount of the claim shall escheat to the state.

(e) For each taxable year, subject to the limitations provided in this section, one (1) claimant per household may claim, as a credit against Indiana adjusted gross income taxes otherwise due, the credit provided by this section. If the allowable amount of the claim exceeds the income taxes otherwise due on the claimant's household income or if there are no Indiana income taxes due on such income, the amount of the claim not used as an offset against income taxes after audit by the department, at the taxpayer's option, shall be refunded to the claimant or taken as a credit against such taxpayer's income tax liability subsequently due.

(f) No claim filed pursuant to this section shall be allowed unless filed within six (6) months following the close of claimant's taxable year or within the extension period if an extension of time for filing the return has been granted under IC 6-8.1-6-1, whichever is later.

(g) The amount of any claim otherwise payable under this section may be applied by the department against any liability outstanding on the books of the department against the claimant, or against any other individual who was a member of **his the claimant's** household in the taxable year to which the claim relates.

(h) The amount of a claim filed pursuant to this section by a claimant that either (i) does not reside with **his the claimant's** spouse during the taxable year, or (ii) resides with **his the claimant's** spouse during the taxable year and only one (1) of them is sixty-five (65) years of age or older at the end of the taxable year, shall be determined in accordance with the following schedule:

HOUSEHOLD FEDERAL ADJUSTED GROSS INCOME FOR TAXABLE YEAR	CREDIT
less than \$1,000	\$100
at least \$1,000, but less than \$3,000	\$ 50
at least \$3,000, but less than \$10,000	\$ 40

(i) The amount of a claim filed pursuant to this section by a claimant that resides with **his the claimant's** spouse during **his the claimant's** taxable year shall be determined in accordance with the following schedule if both the claimant and spouse are sixty-five (65) years of age or older at the end of the taxable year:

HOUSEHOLD FEDERAL ADJUSTED GROSS INCOME FOR TAXABLE YEAR	CREDIT
less than \$1,000	\$140
at least \$1,000, but less than \$3,000	\$ 90
at least \$3,000, but less than \$10,000	\$ 80

(j) The department may promulgate reasonable rules under IC 4-22-2 for the administration of this section.

(k) Every claimant under this section shall supply to the department on forms provided under IC 6-8.1-3-4, in support of **his the claimant's** claim, reasonable proof of household income

and age.

(l) Whenever on the audit of any claim filed under this section the department finds that the amount of the claim has been incorrectly determined, the department shall redetermine the claim and notify the claimant of the redetermination and the reasons therefor. The redetermination shall be final.

(m) In any case in which it is determined that a claim is or was excessive and was filed with fraudulent intent, the claim shall be disallowed in full, and, if the claim has been paid or a credit has been allowed against income taxes otherwise payable, the credit shall be canceled and the amount paid shall be recovered by assessment as income taxes are assessed and such assessment shall bear interest from the date of payment or credit of the claim, until refunded or paid at the rate determined under IC 6-8.1-10-1. The claimant in such a case commits a Class A misdemeanor. In any case in which it is determined that a claim is or was excessive and was negligently prepared, ten percent (10%) of the corrected claim shall be disallowed and, if the claim has been paid or credited against income taxes otherwise payable, the credit shall be reduced or canceled, and the proper portion of any amount paid shall be similarly recovered by assessment as income taxes are assessed, and such assessment shall bear interest at the rate determined under IC 6-8.1-10-1 from the date of payment until refunded or paid.

(n) A taxpayer is not entitled to a credit under this section for a taxable year beginning after December 31, 2017.

(o) This section expires January 1, 2019.

SECTION 30. IC 6-3-3-10, AS AMENDED BY P.L.182-2009(ss), SECTION 197, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 10. (a) As used in this section:

"Base period wages" means the following:

(1) In the case of a taxpayer other than a pass through entity, wages paid or payable by a taxpayer to its employees during the year that ends on the last day of the month that immediately precedes the month in which an enterprise zone is established, to the extent that the wages would have been qualified wages if the enterprise zone had been in effect for that year. If the taxpayer did not engage in an active trade or business during that year in the area that is later designated as an enterprise zone, then the base period wages equal zero (0). If the taxpayer engaged in an active trade or business during only part of that year in an area that is later designated as an enterprise zone, then the department shall determine the amount of base period wages.

(2) In the case of a taxpayer that is a pass through entity, base period wages equal zero (0).

"Enterprise zone" means an enterprise zone created under IC 5-28-15.

"Enterprise zone adjusted gross income" means adjusted gross income of a taxpayer that is derived from sources within an enterprise zone. Sources of adjusted gross income shall be determined with respect to an enterprise zone, to the extent possible, in the same manner that sources of adjusted gross income are determined with respect to the state of Indiana under IC 6-3-2-2.

"Enterprise zone gross income" means gross income of a

taxpayer that is derived from sources within an enterprise zone.

"Enterprise zone insurance premiums" means insurance premiums derived from sources within an enterprise zone.

"Monthly base period wages" means base period wages divided by twelve (12).

"Qualified employee" means an individual who is employed by a taxpayer and who:

- (1) has the individual's principal place of residence in the enterprise zone in which the individual is employed;
- (2) performs services for the taxpayer, ninety percent (90%) of which are directly related to the conduct of the taxpayer's trade or business that is located in an enterprise zone;
- (3) performs at least fifty percent (50%) of the individual's services for the taxpayer during the taxable year in the enterprise zone; and
- (4) in the case of an individual who is employed by a taxpayer that is a pass through entity, was first employed by the taxpayer after December 31, 1998.

"Qualified increased employment expenditures" means the following:

- (1) For a taxpayer's taxable year other than the taxpayer's taxable year in which the enterprise zone is established, the amount by which qualified wages paid or payable by the taxpayer during the taxable year to qualified employees exceeds the taxpayer's base period wages.
- (2) For the taxpayer's taxable year in which the enterprise zone is established, the amount by which qualified wages paid or payable by the taxpayer during all of the full calendar months in the taxpayer's taxable year that succeed the date on which the enterprise zone was established exceed the taxpayer's monthly base period wages multiplied by that same number of full calendar months.

"Qualified state tax liability" means a taxpayer's total income tax liability incurred under:

- (1) IC 6-3-1 through IC 6-3-7 (adjusted gross income tax) with respect to enterprise zone adjusted gross income;
- (2) IC 27-1-18-2 (insurance premiums tax) with respect to enterprise zone insurance premiums; and
- (3) IC 6-5.5 (the financial institutions tax);

as computed after the application of the credits that, under IC 6-3.1-1-2, are to be applied before the credit provided by this section.

"Qualified wages" means the wages paid or payable to qualified employees during a taxable year.

"Taxpayer" includes a pass through entity.

(b) A taxpayer is entitled to a credit against the taxpayer's qualified state tax liability for a taxable year in the amount of the lesser of:

- (1) the product of ten percent (10%) multiplied by the qualified increased employment expenditures of the taxpayer for the taxable year; or
- (2) one thousand five hundred dollars (\$1,500) multiplied by the number of qualified employees employed by the taxpayer during the taxable year.

(c) The amount of the credit provided by this section that a taxpayer uses during a particular taxable year may not exceed the

taxpayer's qualified state tax liability for the taxable year. If the credit provided by this section exceeds the amount of that tax liability for the taxable year it is first claimed, then the excess may be carried back to preceding taxable years or carried over to succeeding taxable years and used as a credit against the taxpayer's qualified state tax liability for those taxable years. Each time that the credit is carried back to a preceding taxable year or carried over to a succeeding taxable year, the amount of the carryover is reduced by the amount used as a credit for that taxable year. Except as provided in subsection (e), the credit provided by this section may be carried forward and applied in the ten (10) taxable years that succeed the taxable year in which the credit accrues. The credit provided by this section may be carried back and applied in the three (3) taxable years that precede the taxable year in which the credit accrues.

(d) A credit earned by a taxpayer in a particular taxable year shall be applied against the taxpayer's qualified state tax liability for that taxable year before any credit carryover or carryback is applied against that liability under subsection (c).

(e) Notwithstanding subsection (c), if a credit under this section results from wages paid in a particular enterprise zone, and if that enterprise zone terminates in a taxable year that succeeds the last taxable year in which a taxpayer is entitled to use the credit carryover that results from those wages under subsection (c), then the taxpayer may use the credit carryover for any taxable year up to and including the taxable year in which the enterprise zone terminates.

(f) A taxpayer is not entitled to a refund of any unused credit.

(g) A taxpayer that:

- (1) does not own, rent, or lease real property outside of an enterprise zone that is an integral part of its trade or business; and
- (2) is not owned or controlled directly or indirectly by a taxpayer that owns, rents, or leases real property outside of an enterprise zone;

is exempt from the allocation and apportionment provisions of this section.

(h) If a pass through entity is entitled to a credit under subsection (b) but does not have state tax liability against which the tax credit may be applied, an individual who is a shareholder, partner, beneficiary, or member of the pass through entity is entitled to a tax credit equal to:

- (1) the tax credit determined for the pass through entity for the taxable year; multiplied by
- (2) the percentage of the pass through entity's distributive income to which the shareholder, partner, beneficiary, or member is entitled.

The credit provided under this subsection is in addition to a tax credit to which a shareholder, partner, beneficiary, or member of a pass through entity is entitled. However, a pass through entity and an individual who is a shareholder, partner, beneficiary, or member of a pass through entity may not claim more than one (1) credit for the qualified expenditure.

(i) A taxpayer is not entitled to a credit under this chapter for:

- (1) employment expenditures made; or**
- (2) qualified employees who are employed;**

in a taxable year beginning after December 31, 2016.

(j) This chapter expires January 1, 2026.

SECTION 31. IC 6-3-3-12, AS AMENDED BY P.L.182-2009(ss), SECTION 198, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 12. (a) As used in this section, "account" has the meaning set forth in IC 21-9-2-2.

(b) As used in this section, "account beneficiary" has the meaning set forth in IC 21-9-2-3.

(c) As used in this section, "account owner" has the meaning set forth in IC 21-9-2-4.

(d) As used in this section, "college choice 529 education savings plan" refers to a college choice 529 investment plan established under IC 21-9.

(e) As used in this section, "contribution" means the amount of money directly provided to a college choice 529 education savings plan account by a taxpayer. A contribution does not include any of the following:

(1) Money credited to an account as a result of bonus points or other forms of consideration earned by the taxpayer that result in a transfer of money to the account.

(2) Money transferred from any other qualified tuition program under Section 529 of the Internal Revenue Code or from any other similar plan.

(f) As used in this section, "nonqualified withdrawal" means a withdrawal or distribution from a college choice 529 education savings plan that is not a qualified withdrawal.

(g) As used in this section, "qualified higher education expenses" has the meaning set forth in IC 21-9-2-19.5.

(h) As used in this section, "qualified withdrawal" means a withdrawal or distribution from a college choice 529 education savings plan that is made:

(1) to pay for qualified higher education expenses, excluding any withdrawals or distributions used to pay for qualified higher education expenses if the withdrawals or distributions are made from an account of a college choice 529 education savings plan that is terminated within twelve (12) months after the account is opened;

(2) as a result of the death or disability of an account beneficiary;

(3) because an account beneficiary received a scholarship that paid for all or part of the qualified higher education expenses of the account beneficiary, to the extent that the withdrawal or distribution does not exceed the amount of the scholarship; or

(4) by a college choice 529 education savings plan as the result of a transfer of funds by a college choice 529 education savings plan from one (1) third party custodian to another.

A qualified withdrawal does not include a rollover distribution or transfer of assets from a college choice 529 education savings plan to any other qualified tuition program under Section 529 of the Internal Revenue Code or to any other similar plan.

(i) As used in this section, "taxpayer" means:

(1) an individual filing a single return; or

(2) a married couple filing a joint return.

(j) A taxpayer is entitled to a credit against the taxpayer's adjusted gross income tax imposed by IC 6-3-1 through IC 6-3-7 for a taxable year equal to the least of the following:

(1) Twenty percent (20%) of the amount of the total contributions made by the taxpayer to an account or accounts of a college choice 529 education savings plan during the taxable year.

(2) One thousand dollars (\$1,000).

(3) The amount of the taxpayer's adjusted gross income tax imposed by IC 6-3-1 through IC 6-3-7 for the taxable year, reduced by the sum of all credits (as determined without regard to this section) allowed by IC 6-3-1 through IC 6-3-7.

(k) A taxpayer is not entitled to a carryback, carryover, or refund of an unused credit.

(l) A taxpayer may not sell, assign, convey, or otherwise transfer the tax credit provided by this section.

(m) To receive the credit provided by this section, a taxpayer must claim the credit on the taxpayer's annual state tax return or returns in the manner prescribed by the department. The taxpayer shall submit to the department all information that the department determines is necessary for the calculation of the credit provided by this section.

(n) An account owner of an account of a college choice 529 education savings plan must repay all or a part of the credit in a taxable year in which any nonqualified withdrawal is made from the account. The amount the taxpayer must repay is equal to the lesser of:

(1) twenty percent (20%) of the total amount of nonqualified withdrawals made during the taxable year from the account; or

(2) the excess of:

(A) the cumulative amount of all credits provided by this section that are claimed by any taxpayer with respect to the taxpayer's contributions to the account for all prior taxable years beginning on or after January 1, 2007; over

(B) the cumulative amount of repayments paid by the account owner under this subsection for all prior taxable years beginning on or after January 1, 2008.

(o) Any required repayment under subsection (o) shall be reported by the account owner on the account owner's annual state income tax return for any taxable year in which a nonqualified withdrawal is made.

(p) A nonresident account owner who is not required to file an annual income tax return for a taxable year in which a nonqualified withdrawal is made shall make any required repayment on the form required under IC 6-3-4-1(2). If the nonresident account owner does not make the required repayment, the department shall issue a demand notice in accordance with IC 6-8.1-5-1.

(q) The executive director of the Indiana education savings authority shall submit or cause to be submitted to the department a copy of all information returns or statements issued to account owners, account beneficiaries, and other taxpayers for each taxable year with respect to:

(1) nonqualified withdrawals made from accounts of a college choice 529 education savings plan for the taxable year; or

(2) account closings for the taxable year.

(r) A taxpayer is not entitled to a credit under this section for a contribution made in a taxable year beginning after December 31, 2017.

(s) This section expires January 1, 2019.

SECTION 32. IC 6-3.1-2-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 2. (a) Subject to the limitation established in sections 4 and 5 of this chapter, a taxpayer that employs an eligible teacher in a qualified position during a school summer recess is entitled to a tax credit against **his the taxpayer's** state income tax liability as provided for under section 3 of this chapter.

(b) A taxpayer is not entitled to a credit under this chapter for employing an eligible teacher in a qualified position in a taxable year beginning after December 31, 2017.

(c) This chapter expires January 1, 2019.

SECTION 33. IC 6-3.1-4-3, AS ADDED BY P.L.197-2005, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 3. (a) The amount of the credit provided by this chapter that a taxpayer uses during a particular taxable year may not exceed the sum of the taxes imposed by IC 6-3 for the taxable year after the application of all credits that under IC 6-3.1-1-2 are to be applied before the credit provided by this chapter. If the credit provided by this chapter exceeds that sum for the taxable year for which the credit is first claimed, then the excess may be carried over to succeeding taxable years and used as a credit against the tax otherwise due and payable by the taxpayer under IC 6-3 during those taxable years. Each time that the credit is carried over to a succeeding taxable year, it is to be reduced by the amount which was used as a credit during the immediately preceding taxable year. The credit provided by this chapter may be carried forward and applied to succeeding taxable years for ten (10) taxable years following the unused credit year.

(b) A credit earned by a taxpayer in a particular taxable year shall be applied against the taxpayer's tax liability for that taxable year before any credit carryover is applied against that liability under subsection (a).

(c) A taxpayer is not entitled to any carryback or refund of any unused credit.

(d) A taxpayer is not entitled to a credit under this chapter for research expenses incurred in a taxable year beginning after December 31, 2017.

(e) This chapter expires January 1, 2025.

SECTION 34. IC 6-3.1-6-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 2. (a) A taxpayer who enters into an agreement is entitled to receive an income tax credit for a taxable year equal to:

(1) the taxpayer's state income tax liability for the taxable year;

(2) an amount equal to the sum of:

(A) fifty percent (50%) of any investment in qualified property made by the taxpayer during the taxable year as part of the agreement; plus

(B) twenty-five percent (25%) of the wages paid to inmates during the taxable year as part of the agreement; or

(3) one hundred thousand dollars (\$100,000);

whichever is least.

(b) A tax credit shall be allowed under this chapter only for the taxable year of the taxpayer during which:

(1) the investment in qualified property is made in accordance with Section 38 of the Internal Revenue Code; or

(2) the wages are paid to inmates; as part of an agreement.

(c) A taxpayer is not entitled to a credit under this chapter for investments made or wages paid in a taxable year after December 31, 2017.

(d) This chapter expires January 1, 2019.

SECTION 35. IC 6-3.1-7-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 3. (a) If the amount determined under section 2(b) of this chapter for a particular taxpayer and a particular taxable year exceeds the taxpayer's state tax liability for that taxable year, then the taxpayer may carry the excess over to the immediately succeeding taxable years. Except as provided in subsection (b), the credit carryover may not be used for any taxable year that begins more than ten (10) years after the date on which the qualified loan from which the credit results is made. The amount of the credit carryover from a taxable year shall be reduced to the extent that the carryover is used by the taxpayer to obtain a credit under this chapter for any subsequent taxable year.

(b) Notwithstanding subsection (a), if a loan is a qualified loan as the result of the use of the loan proceeds in a particular enterprise zone, and if the phase-out period of that enterprise zone terminates in a taxable year that succeeds the last taxable year in which a taxpayer is entitled to use credit carryover that results from that loan under subsection (a), then the taxpayer may use the credit carryover for any taxable year up to and including the taxable year in which the phase-out period of the enterprise zone terminates.

(c) A taxpayer is not entitled to a credit under this chapter for qualified loan interest received in a taxable year beginning after December 31, 2016.

(d) This chapter expires January 1, 2026.

SECTION 36. IC 6-3.1-9-1, AS AMENDED BY P.L.1-2007, SECTION 54, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 1. (a) As used in this chapter, "authority" means the Indiana housing and community development authority established by IC 5-20-1-3.

(b) As used in this chapter, "business firm" means any business entity authorized to do business in the state of Indiana that has state tax liability.

(c) As used in this chapter, "community services" means any type of:

(1) counseling and advice;

(2) emergency assistance;

(3) medical care;

(4) recreational facilities;

(5) housing facilities; or

(6) economic development assistance;

provided to individuals, economically disadvantaged households, groups, or neighborhood organizations in an economically disadvantaged area **or provided to individuals who are ex-offenders who have completed the individuals' criminal sentences or are serving a term of probation or parole.**

(d) As used in this chapter, "crime prevention" means any activity which aids in the reduction of crime in an economically disadvantaged area or an economically disadvantaged household.

(e) As used in this chapter, "economically disadvantaged area" means an enterprise zone, or any other federally or locally designated economically disadvantaged area in Indiana. The certification shall be made on the basis of current indices of social and economic conditions, which shall include but not be limited to the median per capita income of the area in relation to the median per capita income of the state or standard metropolitan statistical area in which the area is located.

(f) As used in this chapter, "economically disadvantaged household" means a household with an annual income that is at or below eighty percent (80%) of the area median income or any other federally designated target population.

(g) As used in this chapter, "education" means any type of scholastic instruction or scholarship assistance to an individual who:

- (1) resides in an economically disadvantaged area; **or**
- (2) is an ex-offender who has completed the individual's criminal sentence or is serving a term of probation or parole;**

that enables the individual to prepare for better life opportunities.

(h) As used in this chapter, "enterprise zone" means an enterprise zone created under IC 5-28-15.

(i) As used in this chapter, "job training" means any type of instruction to an individual who:

- (1) resides in:
 - (+) (A) an economically disadvantaged area; **or**
 - (-) (B) an economically disadvantaged household; **or**
- (2) is an ex-offender who has completed the individual's criminal sentence or is serving a term of probation or parole;**

that enables the individual to acquire vocational skills so that the individual can become employable or be able to seek a higher grade of employment.

(j) As used in this chapter, "neighborhood assistance" means either:

- (1) furnishing financial assistance, labor, material, and technical advice to aid in the physical or economic improvement of any part or all of an economically disadvantaged area; **or**
- (2) furnishing technical advice to promote higher employment in any neighborhood in Indiana.

(k) As used in this chapter, "neighborhood organization" means any organization, including but not limited to a nonprofit development corporation doing both of the following:

- (1) Performing community services:
 - (A) in an economically disadvantaged area; **or**
 - (B) for an economically disadvantaged household; **or**
 - (C) for individuals who are ex-offenders who have completed the individuals' criminal sentences or are serving a term of probation or parole.**
- (2) Holding a ruling:

(A) from the Internal Revenue Service of the United States Department of the Treasury that the organization is exempt from income taxation under the provisions of the Internal Revenue Code; and

(B) from the department of state revenue that the organization is exempt from income taxation under IC 6-2.5-5-21.

(l) As used in this chapter, "person" means any individual subject to Indiana gross or adjusted gross income tax.

(m) As used in this chapter, "state fiscal year" means a twelve (12) month period beginning on July 1 and ending on June 30.

(n) As used in this chapter, "state tax liability" means the taxpayer's total tax liability that is incurred under:

- (1) IC 6-3-1 through IC 6-3-7 (the adjusted gross income tax); and
- (2) IC 6-5.5 (the financial institutions tax);

as computed after the application of the credits that, under IC 6-3.1-1-2, are to be applied before the credit provided by this chapter.

(o) As used in this chapter, "tax credit" means a deduction from any tax otherwise due and payable under IC 6-3 or IC 6-5.5.

SECTION 37. IC 6-3.1-9-2, AS AMENDED BY P.L.1-2007, SECTION 55, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 2. (a) A business firm or a person who contributes to a neighborhood organization that engages in the activities of providing:

- (1) neighborhood assistance, job training, or education for individuals not employed by the business firm or person; **or**
- (2) community services or crime prevention in an economically disadvantaged area; or**
- (3) community services, education, or job training services to individuals who are ex-offenders who have completed the individuals' criminal sentences or are serving a term of probation or parole;**

shall receive a tax credit as provided in section 3 of this chapter if the authority approves the proposal of the business firm or person, setting forth the program to be conducted, the area selected, the estimated amount to be invested in the program, and the plans for implementing the program.

(b) The authority, after consultation with the community services agency and the commissioner of revenue, may adopt rules for the approval or disapproval of these proposals.

SECTION 38. IC 6-3.1-9-6 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 6. (a) A tax credit shall be allowable under this chapter only for the taxable year of the taxpayer in which the contribution qualifying for the credit is paid or permanently set aside in a special account for the approved program or purpose.

(b) A taxpayer is not entitled to a credit under this chapter for contributions made or permanently set aside in a taxable year beginning after December 31, 2017.

(c) This chapter expires January 1, 2019.

SECTION 39. IC 6-3.1-10-7 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 7. (a) If the amount determined under section 6(b) of this chapter for a taxpayer in a taxable year exceeds the taxpayer's state tax liability for that taxable year, the taxpayer may carry the excess over to the following taxable years. The amount of the credit carryover from a taxable year shall be reduced to the extent that the carryover is used by the taxpayer to obtain a credit under this chapter for any subsequent taxable year.

(b) A taxpayer is not entitled to a carryback or refund of any unused credit.

(c) A taxpayer is not entitled to a credit under this chapter for qualified investments made in a taxable year beginning after December 31, 2016.

(d) This chapter expires January 1, 2026.

SECTION 40. IC 6-3.1-11-7.2 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2014 (RETROACTIVE)]: **Sec. 7.2. As used in this chapter, "pass through entity" has the meaning set forth in IC 6-3-1-35.**

SECTION 41. IC 6-3.1-11-17 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 17. (a) If the amount determined under section 16(b) of this chapter for a taxable year exceeds the taxpayer's state tax liability for that taxable year, the taxpayer may carry the excess over to the immediately following taxable years. The amount of the credit carryover from a taxable year shall be reduced to the extent that the carryover is used by the taxpayer to obtain a credit under this chapter for any subsequent taxable year.

(b) A taxpayer is not entitled to a carryback or refund of any unused credit.

(c) A taxpayer is not entitled to a credit under this chapter for qualified investments made in a taxable year beginning after December 31, 2016.

(d) This chapter expires January 1, 2026.

SECTION 42. IC 6-3.1-11-24 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2014 (RETROACTIVE)]: **Sec. 24. (a) If a pass through entity does not have state income tax liability against which the tax credit provided by this chapter may be applied, a shareholder, partner, or member of the pass through entity is entitled to a tax credit equal to:**

(1) the tax credit determined for the pass through entity for the taxable year; multiplied by

(2) the percentage of the pass through entity's distributive income to which the shareholder, partner, or member is entitled.

(b) The credit provided under subsection (a) is in addition to a tax credit to which a shareholder, partner, or member of a pass through entity is otherwise entitled under this chapter.

SECTION 43. IC 6-3.1-13-13, AS AMENDED BY P.L.4-2005, SECTION 69, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 13. (a) The corporation may make credit awards under this chapter to foster job creation in Indiana or, as provided in section 15.5 of this chapter, job retention in Indiana.

(b) The credit shall be claimed for the taxable years specified in the taxpayer's tax credit agreement.

(c) The corporation may not, after December 31, 2016, approve a credit agreement specifying that a taxpayer may claim a credit under this chapter.

(d) This chapter expires January 1, 2026.

SECTION 44. IC 6-3.1-16-1 IS REPEALED [EFFECTIVE JANUARY 1, 2015]. ~~Sec. 1. The definitions set forth in:~~

~~(1) IC 14-8-2 that apply to IC 14-21-1; and~~

~~(2) IC 14-21-1;~~

~~apply throughout this chapter.~~

SECTION 45. IC 6-3.1-16-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2015]: Sec. 2. As used in this chapter, ~~"division"~~ **"office"** means the ~~division of historic preservation and archaeology of the department of natural resources;~~ **office of community and rural affairs established by IC 4-4-9.7-4.**

SECTION 46. IC 6-3.1-16-7 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2015]: Sec. 7. (a) Subject to section 14 of this chapter, a taxpayer is entitled to a credit against the taxpayer's state tax liability in the taxable year in which the taxpayer completes the preservation or rehabilitation of historic property and obtains the certifications required under section 8 of this chapter.

(b) The amount of the credit is equal to twenty percent (20%) of the qualified expenditures that:

(1) the taxpayer makes for the preservation or rehabilitation of historic property; and

(2) are approved by the ~~division;~~ **office.**

(c) In the case of a husband and wife who:

(1) own and rehabilitate a historic property jointly; and

(2) file separate tax returns;

the husband and wife may take the credit in equal shares or one

(1) spouse may take the whole credit.

SECTION 47. IC 6-3.1-16-8 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2015]: Sec. 8. A taxpayer qualifies for a credit under section 7 of this chapter if all of the following conditions are met:

(1) The historic property is:

(A) located in Indiana;

(B) at least fifty (50) years old; and

(C) except as provided in section 7(c) of this chapter, owned by the taxpayer.

(2) The ~~division~~ **office** certifies that the historic property is listed in the register of Indiana historic sites and historic structures.

(3) The ~~division~~ **office** certifies that the taxpayer submitted a proposed preservation or rehabilitation plan to the ~~division~~ **office** that complies with the standards of the ~~division;~~ **office.**

(4) The ~~division~~ **office** certifies that the preservation or rehabilitation work that is the subject of the credit substantially complies with the proposed plan referred to in subdivision (3).

(5) The preservation or rehabilitation work is completed in not more than:

(A) two (2) years; or

(B) five (5) years if the preservation or rehabilitation plan indicates that the preservation or rehabilitation is initially planned for completion in phases.

The time in which work must be completed begins when the physical work of construction or destruction in preparation for construction begins.

(6) The historic property is:

(A) actively used in a trade or business;

(B) held for the production of income; or

(C) held for the rental or other use in the ordinary course

of the taxpayer's trade or business.

(7) The qualified expenditures for preservation or rehabilitation of the historic property exceed ten thousand dollars (\$10,000).

SECTION 48. IC 6-3.1-16-9 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2015]: Sec. 9. (a) The ~~division office~~ shall provide the certifications referred to in section 8(3) and 8(4) of this chapter if a taxpayer's proposed preservation or rehabilitation plan complies with the standards of the ~~division office~~ and the taxpayer's preservation or rehabilitation work complies with the plan.

(b) The taxpayer may appeal a ~~decision final determination~~ by the ~~division office~~ under this chapter to the ~~review board~~: **tax court**.

SECTION 49. IC 6-3.1-16-10 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2015]: Sec. 10. To obtain a credit under this chapter, a taxpayer must claim the credit on the taxpayer's annual state tax return or returns in the manner prescribed by the department of state revenue. The taxpayer shall submit to the department of state revenue the certifications by the ~~division office~~ required under section 8 of this chapter and all information that the department of state revenue determines is necessary for the calculation of the credit provided by this chapter.

SECTION 50. IC 6-3.1-16-12 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2015]: Sec. 12. (a) A credit claimed under this chapter shall be recaptured from the taxpayer if:

- (1) the property is transferred less than five (5) years after completion of the certified preservation or rehabilitation work; or
- (2) less than five (5) years after completion of the certified preservation or rehabilitation, additional modifications to the property are undertaken that do not meet the standards of the ~~division office~~.

(b) If the recapture of a credit is required under this section, an amount equal to the credit recaptured shall be added to the tax liability of the taxpayer for the taxable year during which the credit is recaptured.

SECTION 51. IC 6-3.1-16-13 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 13. (a) If the credit provided by this chapter exceeds a taxpayer's state tax liability for the taxable year for which the credit is first claimed, the excess may be carried over to succeeding taxable years and used as a credit against the tax otherwise due and payable by the taxpayer under IC 6-3 during those taxable years. Each time that the credit is carried over to a succeeding taxable year, the credit is to be reduced by the amount that was used as a credit during the immediately preceding taxable year. The credit provided by this chapter may be carried forward and applied to succeeding taxable years for fifteen (15) taxable years following the unused credit year.

(b) A credit earned by a taxpayer in a particular taxable year shall be applied against the taxpayer's tax liability for that taxable year before any credit carryover is applied against that liability under subsection (a).

(c) A taxpayer is not entitled to any carryback or refund of any

unused credit.

(d) A taxpayer may not claim a credit under this chapter for qualified expenditures approved in a taxable year beginning after December 31, 2017.

SECTION 52. IC 6-3.1-16-15 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2015]: Sec. 15. (a) The following may adopt rules under IC 4-22-2 to carry out this chapter:

- (1) The department of state revenue.
- (2) The ~~division office~~.

(b) The following apply to any rules adopted by the division of historic preservation and archaeology of the department of natural resources under this chapter before January 1, 2015:

- (1) The rules are transferred to the office on January 1, 2015, and are considered, after December 31, 2014, to be rules of the office.**
- (2) After December 31, 2014, the rules are treated as if they had been adopted by the office.**

SECTION 53. IC 6-3.1-18-11 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 11. (a) A tax credit shall be allowable under this chapter only for the taxable year of the taxpayer in which the contribution qualifying for the credit is paid.

(b) A taxpayer is not entitled to a credit under this chapter for a contribution made in a taxable year beginning after December 31, 2017.

(c) This chapter expires January 1, 2019.

SECTION 54. IC 6-3.1-19-3, AS AMENDED BY P.L.172-2011, SECTION 64, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 3. (a) Except as provided in section 5 of this chapter, a taxpayer is entitled to a credit against the taxpayer's state and local tax liability for a taxable year if the taxpayer makes a qualified investment in that year.

(b) The amount of the credit to which a taxpayer is entitled is the qualified investment made by the taxpayer during the taxable year multiplied by twenty-five percent (25%).

(c) A taxpayer may assign any part of the credit to which the taxpayer is entitled under this chapter to a lessee of property redeveloped or rehabilitated under section 2 of this chapter. A credit that is assigned under this subsection remains subject to this chapter.

(d) An assignment under subsection (c) must be in writing and both the taxpayer and the lessee must report the assignment on their state tax return for the year in which the assignment is made, in the manner prescribed by the department. The taxpayer may not receive value in connection with the assignment under subsection (c) that exceeds the value of the part of the credit assigned.

(e) If a pass through entity is entitled to a credit under this chapter but does not have state and local tax liability against which the tax credit may be applied, a shareholder, partner, or member of the pass through entity is entitled to a tax credit equal to:

- (1) the tax credit determined for the pass through entity for the taxable year; multiplied by

(2) the percentage of the pass through entity's distributive income to which the shareholder, partner, or member is entitled.

The credit provided under this subsection is in addition to a tax credit to which a shareholder, partner, or member of a pass through entity is otherwise entitled under this chapter. However, a pass through entity and an individual who is a shareholder, partner, or member of the pass through entity may not claim more than one (1) credit for the same investment.

(f) A taxpayer that is otherwise entitled to a credit under this chapter for a taxable year may claim the credit regardless of whether any income tax incremental amount or gross retail incremental amount has been:

- (1) deposited in the incremental tax financing fund established for the community revitalization enhancement district; or
- (2) allocated to the district.

(g) A taxpayer is not entitled to a credit under this chapter for a qualified investment made in a taxable year beginning after December 31, 2016.

(h) This chapter expires January 1, 2026.

SECTION 55. IC 6-3.1-20-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2015]: Sec. 1. As used in this chapter, "**earned Indiana** income" means the ~~sum of the:~~

~~(1) wages, salaries, tips, and other employee compensation; and~~

~~(2) net earnings from self-employment (as computed under Section 32(c)(2) of the Internal Revenue Code);~~

adjusted gross income of an individual taxpayer, and the individual's spouse, if the individual files a joint adjusted gross income tax return.

SECTION 56. IC 6-3.1-20-4, AS AMENDED BY P.L.13-2013, SECTION 22, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2015]: Sec. 4. (a) Except as provided in subsection (b), an individual is entitled to a credit under this chapter if:

(1) the individual's **earned Indiana** income for the taxable year is less than eighteen thousand six hundred dollars (\$18,600); and

(2) the individual pays property taxes in the taxable year on a homestead that:

(A) the individual:

(i) owns; or

(ii) is buying under a contract that requires the individual to pay property taxes on the homestead, if the contract or a memorandum of the contract is recorded in the county recorder's office; and

(B) is located in a county having a population of more than four hundred thousand (400,000) but less than seven hundred thousand (700,000).

(b) An individual is not entitled to a credit under this chapter for a taxable year for property taxes paid on the individual's homestead if the individual claims the deduction under IC 6-3-1-3.5(a)(15) for the homestead for that same taxable year.

(c) An individual is not entitled to a credit under this section for property taxes paid in a taxable year beginning after December 31, 2017.

(d) This section expires January 1, 2019.

SECTION 57. IC 6-3.1-20-5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2015]: Sec. 5. (a) Each year, an individual described in section 4 of this chapter is entitled to a refundable credit against the individual's state income tax liability in the amount determined under this section.

(b) In the case of an individual with **earned Indiana** income of less than eighteen thousand dollars (\$18,000) for the taxable year, the amount of the credit is equal to the lesser of:

(1) three hundred dollars (\$300); or

(2) the amount of property taxes described in section 4(a)(2) of this chapter paid by the individual in the taxable year.

(c) In the case of an individual with **earned Indiana** income that is at least eighteen thousand dollars (\$18,000) but less than eighteen thousand six hundred dollars (\$18,600) for the taxable year, the amount of the credit is equal to the lesser of the following:

(1) An amount determined under the following STEPS:

STEP ONE: Determine the result of:

(i) eighteen thousand six hundred dollars (\$18,600); minus

(ii) the individual's **earned Indiana** income for the taxable year.

STEP TWO: Determine the result of:

(i) the STEP ONE amount; multiplied by

(ii) five-tenths (0.5).

(2) The amount of property taxes described in section 4(a)(2) of this chapter paid by the individual in the taxable year.

(d) If the amount of the credit under this chapter exceeds the individual's state tax liability for the taxable year, the excess shall be refunded to the taxpayer.

SECTION 58. IC 6-3.1-20-7 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2015]: Sec. 7. (a) The department shall before July 1 of each year determine **the greater of:**

(1) eight million five hundred thousand dollars (\$8,500,000); or

(2) the amount of credits allowed under this chapter for taxable years ending before January 1 of the year.

(b) **Except as provided in subsection (d)**, one-half (1/2) of the amount determined by the department under subsection (a) shall be:

(1) deducted during the year from the riverboat admissions tax revenue otherwise payable to the county under IC 4-33-12-6(d)(2); and

(2) paid instead to the state general fund.

(c) **Except as provided in subsection (d)**, one-sixth (1/6) of the amount determined by the department under subsection (a) shall be:

(1) deducted during the year from the riverboat admissions tax revenue otherwise payable under IC 4-33-12-6(d)(1) to each of the following:

(A) The largest city by population located in the county.

(B) The second largest city by population located in the county.

(C) The third largest city by population located in the county; and

(2) paid instead to the state general fund.

(d) If the amount determined by the department under subsection (a)(2) is less than eight million five hundred thousand dollars (\$8,500,000), the difference of:

(1) eight million five hundred thousand dollars (\$8,500,000); minus

(2) the amount determined by the department under subsection (a)(2);

shall be paid to the northwest Indiana regional development authority established by IC 36-7.5-2-1 instead of the state general fund.

SECTION 59. IC 6-3.1-21-8, AS AMENDED BY P.L.172-2011, SECTION 65, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 8. **(a)** To obtain a credit under this chapter, a taxpayer must claim the advance payment or credit in the manner prescribed by the department of state revenue. The taxpayer shall submit to the department of state revenue all information that the department of state revenue determines is necessary for the calculation of the credit provided by this chapter.

(b) A taxpayer may not claim a credit under this chapter after December 31, 2016.

(c) This chapter expires January 2, 2018.

SECTION 60. IC 6-3.1-22-1 IS REPEALED [EFFECTIVE JANUARY 1, 2015]. Sec. 1. ~~The definitions set forth in:~~

- ~~(1) IC 14-8-2 that apply to IC 14-21-1; and~~
~~(2) IC 14-21-1;~~

~~apply throughout this chapter.~~

SECTION 61. IC 6-3.1-22-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2015]: Sec. 2. As used in this chapter, "~~division~~" "~~office~~" means the ~~division of historic preservation and archeology of the department of natural resources~~: **office of community and rural affairs established by IC 4-4-9.7-4.**

SECTION 62. IC 6-3.1-22-8 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2015]: Sec. 8. (a) Subject to section 14 of this chapter, a taxpayer is entitled to a credit against the taxpayer's state tax liability in the taxable year in which the taxpayer completes the preservation or rehabilitation of historic property and obtains the certifications required under section 9 of this chapter.

(b) The amount of the credit is equal to twenty percent (20%) of the qualified expenditures that:

- (1) the taxpayer makes for the preservation or rehabilitation of historic property; and
 (2) are approved by the ~~division~~: **office.**

(c) In the case of a husband and wife who:

- (1) own and rehabilitate a historic property jointly; and
 (2) file separate tax returns;

the husband and wife may take the credit in equal shares or one (1) spouse may take the whole credit.

SECTION 63. IC 6-3.1-22-9 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2015]: Sec. 9. A taxpayer qualifies for a credit under section 8 of this chapter if all of the following conditions are met:

(1) The historic property is:

(A) located in Indiana;

(B) at least fifty (50) years old; and

(C) except as provided in section 8(c) of this chapter, owned by the taxpayer.

(2) The ~~division~~ **office** certifies that the historic property is listed in the register of Indiana historic sites and historic structures.

(3) The ~~division~~ **office** certifies that the taxpayer submitted a proposed preservation or rehabilitation plan to the ~~division~~ **office** that complies with the standards of the ~~division~~: **office.**

(4) The ~~division~~ **office** certifies that the preservation or rehabilitation work that is the subject of the credit substantially complies with the proposed plan referred to in subdivision (3).

(5) The preservation or rehabilitation work is completed in not more than:

(A) two (2) years; or

(B) five (5) years if the preservation or rehabilitation plan indicates that the preservation or rehabilitation is initially planned for completion in phases.

The time in which work must be completed begins when the physical work of construction or destruction in preparation for construction begins.

(6) The historic property is principally used and occupied by the taxpayer as the taxpayer's residence.

(7) The qualified expenditures for preservation or rehabilitation of the historic property exceed ten thousand dollars (\$10,000).

SECTION 64. IC 6-3.1-22-10 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2015]: Sec. 10. (a) The ~~division~~ **office** shall provide the certifications referred to in section 9(3) and 9(4) of this chapter if a taxpayer's proposed preservation or rehabilitation plan complies with the standards of the ~~division~~ **office** and the taxpayer's preservation or rehabilitation work complies with the plan.

(b) The taxpayer may appeal a ~~decision~~ **final determination** by the ~~division~~ **office** under this chapter to the ~~review board~~: **tax court.**

SECTION 65. IC 6-3.1-22-11 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2015]: Sec. 11. To obtain a credit under this chapter, a taxpayer must claim the credit on the taxpayer's annual state tax return or returns in the manner prescribed by the department of state revenue. The taxpayer shall submit to the department of state revenue the certifications by the ~~division~~ **office** required under section 9 of this chapter and all information that the department of state revenue determines is necessary for the calculation of the credit provided by this chapter.

SECTION 66. IC 6-3.1-22-13 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2015]: Sec. 13. (a) A credit claimed under this chapter shall be recaptured from the taxpayer if:

(1) the property is transferred less than five (5) years after completion of the certified preservation or rehabilitation work; or

(2) less than five (5) years after completion of the certified preservation or rehabilitation, additional modifications to the property are undertaken that do not meet the standards of the ~~division~~ **office**.

(b) If the recapture of a credit is required under this section, an amount equal to the credit recaptured shall be added to the tax liability of the taxpayer for the taxable year during which the credit is recaptured.

SECTION 67. IC 6-3.1-22-14 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 14. (a) If the credit provided by this chapter exceeds a taxpayer's state tax liability for the taxable year for which the credit is first claimed, the excess may be carried over to succeeding taxable years and used as a credit against the tax otherwise due and payable by the taxpayer under IC 6-3 during those taxable years. Each time that the credit is carried over to a succeeding taxable year, the credit is to be reduced by the amount that was used as a credit during the immediately preceding taxable year. The credit provided by this chapter may be carried forward and applied to succeeding taxable years for fifteen (15) taxable years following the unused credit year.

(b) A credit earned by a taxpayer in a particular taxable year shall be applied against the taxpayer's tax liability for that taxable year before any credit carryover is applied against that liability under subsection (a).

(c) A taxpayer is not entitled to any carryback or refund of any unused credit.

(d) A taxpayer may not claim a credit under this chapter for qualified expenditures approved in a taxable year beginning after December 31, 2017.

SECTION 68. IC 6-3.1-22-16 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2015]: Sec. 16. (a) The following may adopt rules under IC 4-22-2 to carry out this chapter:

(1) The department of state revenue.

(2) The ~~division~~ **office**.

(b) The following apply to any rules adopted by the division of historic preservation and archaeology of the department of natural resources under this chapter before January 1, 2015:

(1) The rules are transferred to the office on January 1, 2015, and are considered, after December 31, 2014, to be rules of the office.

(2) After December 31, 2014, the rules are treated as if they had been adopted by the office.

SECTION 69. IC 6-3.1-24-12, AS AMENDED BY P.L.193-2005, SECTION 19, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 12. (a) If the amount of the credit determined under section 10 of this chapter for a taxpayer in a taxable year exceeds the taxpayer's state tax liability for that taxable year, the taxpayer may carry the excess credit over for a period not to exceed the taxpayer's following five (5) taxable years. The amount of the credit carryover from a taxable year shall be reduced to the extent that the carryover is used by the taxpayer to obtain a credit under this chapter for any subsequent taxable year. A taxpayer is not entitled to a carryback or a refund of any unused credit amount.

(b) A taxpayer is not entitled to a credit under this chapter

for qualified investment capital provided to a qualified Indiana business in a taxable year beginning after December 31, 2016.

(c) This chapter expires January 1, 2022.

SECTION 70. IC 6-3.1-29-21, AS ADDED BY P.L.191-2005, SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 21. (a) To receive the credit awarded by this chapter, a taxpayer must claim the credit on the taxpayer's annual state tax return or returns in the manner prescribed by the department. The taxpayer shall submit to the department a copy of the commission's determination required under section 19 of this chapter, a copy of the taxpayer's certificate of compliance issued under section 19 of this chapter, and all information that the department determines is necessary for the calculation of the credit provided by this chapter.

(b) A taxpayer is not entitled to a credit under this section for a qualified investment made in a taxable year beginning after December 31, 2017.

(c) This section expires January 1, 2039.

SECTION 71. IC 6-3.1-30-11, AS ADDED BY P.L.193-2005, SECTION 21, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 11. (a) If the credit provided by this chapter exceeds the taxpayer's state tax liability for the taxable year for which the credit is first claimed, the excess may be carried forward to succeeding taxable years and used as a credit against the taxpayer's state tax liability during those taxable years. Each time that the credit is carried forward to a succeeding taxable year, the credit is to be reduced by the amount that was used as a credit during the immediately preceding taxable year. The credit provided by this chapter may be carried forward and applied to succeeding taxable years for nine (9) taxable years following the unused credit year.

(b) A taxpayer is not entitled to any carryback or refund of any unused credit.

(c) A taxpayer is not entitled to a credit under this chapter for relocation costs incurred in a taxable year beginning after December 31, 2016.

(d) This chapter expires January 1, 2026.

SECTION 72. IC 6-3.1-30.5-9.5, AS ADDED BY P.L.211-2013, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 9.5. (a) This section applies to a taxpayer that is entitled to a tax credit under this chapter for a taxable year beginning after December 31, 2012.

(b) If the credit provided by this chapter exceeds the taxpayer's state tax liability for the taxable year for which the credit is first claimed, the excess may be carried forward to succeeding taxable years and used as a credit against the taxpayer's state tax liability during those taxable years. Each time the credit is carried forward to a succeeding taxable year, the credit is reduced by the amount that was used as a credit during the immediately preceding taxable year. The credit provided by this chapter may be carried forward and applied to succeeding taxable years for nine (9) taxable years following the unused credit year.

(c) A taxpayer is not entitled to a carryback or refund of any unused credit.

(d) A taxpayer is not entitled to a credit under this section for a contribution made in a taxable year beginning after December 31, 2017.

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

Page 42, between lines 25 and 26, begin a new paragraph and insert:

"SECTION 30. IC 27-6-8-15 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 15. (a) Member insurers, which during any preceding calendar year shall have paid one (1) or more assessments levied pursuant to section 7 of this chapter, shall be allowed a credit against premium taxes, adjusted gross income taxes, or any combination thereof upon revenue or income of member insurers which may be imposed by the state, up to twenty percent (20%) of the assessment described in section 7 of this chapter for each calendar year following the year the assessment was paid until the aggregate of all assessments paid to the guaranty association shall have been offset by either credits against such taxes or refunds from the association. The provisions herein are applicable to all assessments levied after the passage of this article.

(b) To the extent a member insurer elects not to utilize the tax credits authorized by subsection (a), the member insurer may utilize the provisions of subsection (c) as a secondary method of recoupment.

(c) The rates and premiums charged for insurance policies to which this chapter applies shall include amounts sufficient to recoup a sum equal to the amounts paid to the association by the member insurer less any amounts returned to the member insurer by the association and the rates shall not be deemed excessive because they contain an amount reasonably calculated to recoup assessments paid by the member insurer.

(d) A member insurer is not entitled to a credit under this section for an assessment paid in a taxable year beginning after December 31, 2017.

(e) This section expires January 1, 2023.

SECTION 31. IC 27-8-8-16, AS AMENDED BY P.L.193-2006, SECTION 29, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 16. (a) A member insurer may take as a credit against premium taxes, adjusted gross income taxes, or any combination of them imposed by the state upon the member insurer's revenue or income not more than twenty percent (20%) of the amount of each assessment described in section 6 of this chapter for each calendar year following the year in which the assessment was paid until the assessment has been offset by either credits against the taxes or refunds from the association. If the member insurer ceases doing business, all uncredited assessments may be credited against the member insurer's premium taxes, adjusted gross income taxes, or a combination of the premium taxes and adjusted gross income taxes of the member insurer for the year the member insurer ceases doing business.

(b) A member insurer is not entitled to a credit under this section for an assessment paid in a taxable year beginning after December 31, 2017.

(c) This section expires January 1, 2023.

SECTION 29. IC 27-8-10-2.4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 2.4. (a) Beginning January 1, 2005, a member that, before January 1,

2005, has:

- (1) paid an assessment; and
- (2) not taken a credit against taxes;

under section 2.1 of this chapter (as in effect December 31, 2004) is not entitled to claim or carry forward the unused tax credit except as provided in this section.

(b) A member described in subsection (a) may, for each taxable year beginning after December 31, 2006, take a credit of not more than ten percent (10%) of the amount of the assessments paid before January 1, 2005, against which a tax credit has not been taken before January 1, 2005. A credit under this subsection may be taken against premium taxes, adjusted gross income taxes, or any combination of these, or similar taxes upon revenues or income of the member that may be imposed by the state, up to the amount of the taxes due for each taxable year.

(c) If the maximum amount of a tax credit determined under subsection (b) for a taxable year exceeds a member's liability for the taxes described in subsection (b), the member may carry the unused portion of the tax credit forward to subsequent taxable years. Tax credits carried forward under this subsection are not subject to the ten percent (10%) limit set forth in subsection (b).

(d) The total amount of credits taken by a member under this section in all taxable years may not exceed the total amount of assessments paid by the member before January 1, 2005, minus the total amount of tax credits taken by the member under section 2.1 of this chapter (as in effect December 31, 2004) before January 1, 2005.

(e) This section expires January 1, 2017."

Page 43, delete lines 23 through 42.

Delete pages 44 through 74.

Page 75, delete lines 1 through 13, begin a new paragraph and insert:

"SECTION 41. [EFFECTIVE JANUARY 1, 2015] (a) **IC 6-3.1-20-1, IC 6-3.1-20-4, and IC 6-3.1-20-5, all as amended by this act, apply to taxable years beginning after December 31, 2014.**

(b) This SECTION expires January 1, 2018."

Renumber all SECTIONS consecutively.

(Reference is to SB 367 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 10, Nays 1.

KENLEY, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Homeland Security, Transportation and Veterans Affairs, to which was referred Senate Bill 387, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Replace the effective dates in SECTIONS 2 through 26 with "[EFFECTIVE JANUARY 1, 2015]".

Page 6, between lines 38 and 39, begin a new paragraph and insert:

"Sec. 9. A person who:

(1) produces radiation; or

(2) produces, uses, stores, sells, or otherwise disposes of

radioactive materials, radiation machines, or electronic products;

in violation of this chapter commits a Class B misdemeanor. Each day a violation continues, after notification in writing of the offense by the agency, constitutes a separate offense."

(Reference is to SB 387 as introduced.)
and when so amended that said bill do pass.
Committee Vote: Yeas 8, Nays 0.

WYSS, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Judiciary, to which was referred Senate Bill 395, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 1, line 12, reset in roman "cash or".
Page 2, line 7, reset in roman "the court may require the".
Page 2, reset in roman lines 8 through 11.
Page 2, line 12, reset in roman "may order the defendant to pay if the defendant is convicted."
Page 2, line 12, after "conviction" delete "the" and insert "The".
Page 2, delete lines 22 through 26.
Page 2, line 27, delete "individual is otherwise entitled to receive."
Page 2, line 30, reset in roman "The".
Page 2, reset in roman lines 31 through 34.
Page 2, line 35, reset in roman "subsection (d)".
Page 2, line 35, strike "In the event of the posting of a real estate bond,".
Page 2, strike lines 36 through 37.
Page 2, line 38, strike "foreclosed for the payment of fines, costs, fees, or restitution."
(Reference is to SB 395 as introduced.)
and when so amended that said bill do pass.
Committee Vote: Yeas 5, Nays 2.

STEELE, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Health and Provider Services, to which was referred Senate Bill 408, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 1, line 12, delete "Before November 1, 2014, the executive board shall adopt" and insert "**A hospital licensed under IC 16-21 shall:**

- (1) use appropriate International Classification of Diseases, Clinical Modification (ICD-CM) codes published by the National Center for Health Statistics for diagnosing NAS; and**
- (2) file and report the ICD-CM codes referred to in subdivision (1) in accordance with IC 16-21-6-6 and**

IC 16-21-6-7."

Page 1, delete lines 13 through 16.

Page 2, delete line 1.

Page 2, line 2, after "shall" insert "**, in consultation with representatives of hospitals licensed under IC 16-21,"**

Page 2, line 4, delete "first year of reporting under the emergency rules" and insert "**NAS data reported under IC 16-21-6-6 and IC 16-21-6-7."**

Page 2, line 5, delete "required by subsection (b)."

Page 2, line 7, delete "hospitals." and insert "**the state department."**

Page 2, delete lines 8 through 9.

Page 2, line 10, delete "(3)" and insert "**(2)"**.

Page 2, line 13, delete "(4)" and insert "**(3)"**.

Page 2, delete lines 15 through 42.

Page 3, delete lines 1 through 11.

Renumber all SECTIONS consecutively.

(Reference is to SB 408 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 12, Nays 0.

PATRICIA MILLER, Chair

Report adopted.

COMMITTEE REPORT

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

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

"SECTION 5. IC 6-1.1-24-1, AS AMENDED BY P.L.203-2013, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 1. (a) On or after January 1 of each calendar year in which a tax sale will be held in a county and not later than fifty-one (51) days after the first tax payment due date in that calendar year, the county treasurer (or county executive, in the case of property described in subdivision (2)) shall certify to the county auditor a list of real property on which any of the following exist:

(1) In the case of real property other than real property described in subdivision (2), any property taxes or special assessments certified to the county auditor for collection by the county treasurer from the prior year's spring installment or before are delinquent as determined under IC 6-1.1-37-10 and the delinquent property tax or special assessments due exceed twenty-five dollars (\$25).

(2) In the case of real property for which a county executive has certified to the county auditor that **a judgment has been obtained under IC 32-30-10.6 that the real property is:**

(A) vacant; or

(B) abandoned;

any property taxes or special assessments from the prior year's fall installment or before that are delinquent as determined under IC 6-1.1-37-10. The county executive must make a certification under this subdivision not later

than sixty-one (61) days before the earliest date on which application for judgment and order for sale may be made. The executive of a city or town may provide to the county executive of the county in which the city or town is located a list of real property ~~that for which~~ the city or town has ~~determined to be obtained a judgment under IC 32-30-10.6 that the real property is~~ vacant or abandoned. The county executive shall include real property included on the list provided by a city or town executive on the list certified by the county executive to the county auditor under this subsection. **The county, city, or town that lists a parcel of real property as vacant or abandoned is liable for any damages resulting from the real property being found not to be vacant or abandoned.**

(3) Any unpaid costs are due under section 2(b) of this chapter from a prior tax sale.

(b) The county auditor shall maintain a list of all real property eligible for sale. Except as provided in section 1.2 or another provision of this chapter, the taxpayer's property shall remain on the list. The list must:

- (1) describe the real property by parcel number and common address, if any;
- (2) for a tract or item of real property with a single owner, indicate the name of the owner; and
- (3) for a tract or item with multiple owners, indicate the name of at least one (1) of the owners.

(c) Except as otherwise provided in this chapter, the real property so listed is eligible for sale in the manner prescribed in this chapter.

(d) Not later than fifteen (15) days after the date of the county treasurer's certification under subsection (a), the county auditor shall mail by certified mail a copy of the list described in subsection (b) to each mortgagee who requests from the county auditor by certified mail a copy of the list. Failure of the county auditor to mail the list under this subsection does not invalidate an otherwise valid sale.

SECTION 6. IC 6-1.1-24-1.5, AS AMENDED BY P.L.169-2006, SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 1.5. (a) As used in this chapter and IC 6-1.1-25, "county executive" means the following:

- (1) In a county not containing a consolidated city, the county executive or the county executive's designee.
- (2) In a county containing a consolidated city, the executive of the consolidated city.

(b) The county executive may, **after obtaining a judgment under IC 32-30-10.6 that real property is vacant or abandoned**, designate the real property on the list prepared under section 4.5(b) of this chapter that is eligible for listing on the list prepared under subsection (c).

(c) The county executive shall prepare a list of properties designated under subsection (b) and certify the list to the county auditor no later than sixty-one (61) days prior to the earliest date on which application for judgment and order for sale may be made.

(d) Upon receiving the list described in subsection (c), the

county auditor shall:

- (1) prepare a list of the properties certified by the commission; and
- (2) delete any property described in that list from the delinquent tax list prepared under section 1 of this chapter."

Page 3, line 33, delete "no" and insert "**a one hundred twenty (120) day pretax sale right of redemption and there is no post-tax sale**".

Page 4, line 16, delete ";".

Page 4, line 16, reset in roman "if the tract or item of real property".

Page 4, reset in roman lines 17 through 22.

Page 4, line 23, reset in roman "(C)".

Page 4, line 23, delete "(B)".

Page 4, line 24, strike "ten" and insert "**five**".

Page 4, line 25, strike "(10%)" and insert "**(5%)**".

Page 4, line 27, reset in roman "(D)".

Page 4, line 27, delete "(C)".

Page 7, line 6, delete "no" and insert "**a one hundred twenty (120) day pretax sale redemption period and there is no post-tax sale**".

Page 7, between lines 18 and 19, begin a new paragraph and insert:

"SECTION 7. IC 6-1.1-24-2.3 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: **Sec. 2.3. (a) This section applies to a property that has been certified as vacant or abandoned under section 1(a)(2) of this chapter.**

(b) A notice shall be sent to the owner of record at the time of the sale and to any person with a substantial property interest at least one hundred twenty (120) days before the date of the sale under this chapter. The notice shall contain at least the following:

- (1) A statement that a tax sale will be held on or after a specified date.**
- (2) A description of the tract or real property to be sold.**
- (3) A statement that any person may redeem the tract or real property at or before the tax sale.**
- (4) The components of the amount required to redeem the tract or real property.**
- (5) A statement that if the property is not redeemed, a tax deed may be issued to the purchaser.**
- (6) The street address, if any, or a common description of the tract or real property.**
- (7) The key number or parcel number of the tract or real property.**

(c) A notice under this section must include not more than one (1) tract or item of real property listed to be sold in one (1) description. However, when more than one (1) tract or item of real property is owned by one (1) person, all of the tracts of real property that are owned by that person may be included in one (1) notice.

(d) A single notice under this section may be used to notify joint owners of record at the last address of the joint owners for the property sold, as indicated in the records of the county auditor.

(e) **The notice required by this section is considered sufficient if the notice is mailed to the last address of the owner for the property, as indicated in the records of the county auditor, and any person with a substantial property interest of public record at the address for the person included in the public record that indicates the interest.**

(f) **The notice under this section is not required for persons in possession not shown in the public records."**

Page 10, line 3, delete "1" and insert "**1(a)(2)**".

Page 12, line 20, strike "ten" and insert "**five**".

Page 12, line 20, strike "(10%)" and insert "**(5%)**".

Page 13, line 10, delete ", if the sale occurs before" and insert ";

Page 13, delete lines 11 through 13.

Page 13, line 14, reset in roman "(2)".

Page 13, line 14, delete "(3)".

Page 13, line 16, reset in roman "(3)".

Page 13, line 16, delete "(4)".

Page 13, line 19, delete "(5)" and insert "**(4)**".

Page 13, line 23, before "After" begin a new line block indented and insert:

"**(5)**".

Page 13, line 23, delete "no" and insert "**a one hundred twenty (120) day pretax sale redemption period and the notice required by section 2.3 of this chapter and there is no post-tax sale**".

Page 14, line 6, delete "IC 6-1.1-24-1" and insert "**IC 6-1.1-24-1(a)(2)**".

Page 16, line 9, strike "nine (9)" and insert "**six (6)**".

Page 18, line 41, delete "IC 6-1.1-24-1" and insert "**IC 6-1.1-24-1(a)(2)**".

Page 19, between lines 1 and 2, begin a new paragraph and insert:

"SECTION 19. IC 6-1.1-25-4.6, AS AMENDED BY P.L.118-2013, SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 4.6. (a) After the expiration of the redemption period specified in section 4 of this chapter but not later than ~~six (6)~~ **three (3)** months after the expiration of the period of redemption:

(1) the purchaser, the purchaser's assignee, the county executive, or the purchaser of the certificate of sale under IC 6-1.1-24 may; or

(2) in a county where the county auditor and county treasurer have an agreement under section 4.7 of this chapter, the county auditor shall, upon the request of the purchaser or the purchaser's assignee;

file a verified petition in the same court and under the same cause number in which the judgment of sale was entered asking the court to direct the county auditor to issue a tax deed if the real property is not redeemed from the sale. Notice of the filing of this petition shall be given to the same parties and in the same manner as provided in section 4.5 of this chapter, except that, if notice is given by publication, only one (1) publication is required. The notice required by this section is considered sufficient if the notice is sent to the address required by section 4.5(d) of this chapter. Any person owning or having an interest in the tract or real property may file a written objection to the

petition with the court not later than thirty (30) days after the date the petition was filed. If a written objection is timely filed, the court shall conduct a hearing on the objection.

(b) Not later than sixty-one (61) days after the petition is filed under subsection (a), the court shall enter an order directing the county auditor (on the production of the certificate of sale and a copy of the order) to issue to the petitioner a tax deed if the court finds that the following conditions exist:

(1) The time of redemption has expired.

(2) The tract or real property has not been redeemed from the sale before the expiration of the period of redemption specified in section 4 of this chapter.

(3) Except with respect to a petition for the issuance of a tax deed under a sale of the certificate of sale on the property under IC 6-1.1-24-6.1 or IC 6-1.1-24-6.8, all taxes and special assessments, penalties, and costs have been paid.

(4) The notices required by this section and section 4.5 of this chapter have been given.

(5) The petitioner has complied with all the provisions of law entitling the petitioner to a deed.

The county auditor shall execute deeds issued under this subsection in the name of the state under the county auditor's name. If a certificate of sale is lost before the execution of a deed, the county auditor shall issue a replacement certificate if the county auditor is satisfied that the original certificate existed.

(c) Upon application by the grantee of a valid tax deed in the same court and under the same cause number in which the judgment of sale was entered, the court shall enter an order to place the grantee of a valid tax deed in possession of the real estate. The court may enter any orders and grant any relief that is necessary or desirable to place or maintain the grantee of a valid tax deed in possession of the real estate.

(d) Except as provided in subsections (e) and (f), if:

(1) the verified petition referred to in subsection (a) is timely filed; and

(2) the court refuses to enter an order directing the county auditor to execute and deliver the tax deed because of the failure of the petitioner under subsection (a) to fulfill the notice requirement of subsection (a);

the court shall order the return of the amount, if any, by which the purchase price exceeds the minimum bid on the property under IC 6-1.1-24-5 minus a penalty of twenty-five percent (25%) of that excess. The petitioner is prohibited from participating in any manner in the next succeeding tax sale in the county under IC 6-1.1-24. The county auditor shall deposit penalties paid under this subsection in the county general fund.

(e) Notwithstanding subsection (d), in all cases in which:

(1) the verified petition referred to in subsection (a) is timely filed;

(2) the petitioner under subsection (a) has made a bona fide attempt to comply with the statutory requirements under subsection (b) for the issuance of the tax deed but has failed to comply with these requirements;

(3) the court refuses to enter an order directing the county auditor to execute and deliver the tax deed because of the failure to comply with these requirements; and

(4) the purchaser, the purchaser's successors or assignees, or the purchaser of the certificate of sale under IC 6-1.1-24 files a claim with the county auditor for refund not later than thirty (30) days after the entry of the order of the court refusing to direct the county auditor to execute and deliver the tax deed;

the county auditor shall not execute the deed but shall refund the purchase money minus a penalty of twenty-five percent (25%) of the purchase money from the county treasury to the purchaser, the purchaser's successors or assignees, or the purchaser of the certificate of sale under IC 6-1.1-24. The county auditor shall deposit penalties paid under this subsection in the county general fund. All the delinquent taxes and special assessments shall then be reinstated and recharged to the tax duplicate and collected in the same manner as if the property had not been offered for sale. The tract or item of real property, if it is then eligible for sale under IC 6-1.1-24, shall be placed on the delinquent list as an initial offering under IC 6-1.1-24.

(f) Notwithstanding subsections (d) and (e), the court shall not order the return of the purchase price or any part of the purchase price if:

- (1) the purchaser or the purchaser of the certificate of sale under IC 6-1.1-24 has failed to provide notice or has provided insufficient notice as required by section 4.5 of this chapter; and
- (2) the sale is otherwise valid.

(g) A tax deed executed under this section vests in the grantee an estate in fee simple absolute, free and clear of all liens and encumbrances created or suffered before or after the tax sale except those liens granted priority under federal law, and the lien of the state or a political subdivision for taxes and special assessments that accrue subsequent to the sale. However, the estate is subject to all easements, covenants, declarations, and other deed restrictions and laws governing land use, including all zoning restrictions and liens and encumbrances created or suffered by the purchaser at the tax sale. The deed is prima facie evidence of:

- (1) the regularity of the sale of the real property described in the deed;
- (2) the regularity of all proper proceedings; and
- (3) valid title in fee simple in the grantee of the deed.

(h) A tax deed issued under this section is incontestable except by appeal from the order of the court directing the county auditor to issue the tax deed filed not later than sixty (60) days after the date of the court's order."

Page 19, line 20, delete "or that there is no redemption period,".

Page 20, between lines 13 and 14, begin a new paragraph and insert:

"SECTION 16. IC 6-1.1-25-20 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: **Sec. 20. A county auditor who executes a tax deed under this chapter shall provide a copy of the tax deed to the grantee. The county auditor shall collect from the grantee the appropriate recording fee set forth in IC 36-2-7-10 on behalf of the county recorder and submit the tax deed directly to the county recorder for recording. The county recorder shall**

record the tax deed in the deed records and provide the recorded tax deed to the grantee in the normal course of business. Notwithstanding IC 6-1.1-5.5-3, a sales disclosure form for such a property satisfies the requirements of IC 6-1.1-5.5 if only the county auditor signs the form."

Page 22, after line 41, begin a new paragraph and insert:

"SECTION 17. IC 36-7-9-4, AS AMENDED BY P.L.66-2005, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 4. (a) For purposes of this chapter, a building or structure, or any part of a building or structure, that is:

- (1) in an impaired structural condition that makes it unsafe to a person or property;
- (2) a fire hazard;
- (3) a hazard to the public health;
- (4) a public nuisance;
- (5) dangerous to a person or property because of a violation of a statute or ordinance concerning building condition or maintenance; or
- (6) vacant **or blighted** and not maintained in a manner that would allow human habitation, occupancy, or use under the requirements of a statute or an ordinance;

is considered an unsafe building.

(b) For purposes of this chapter:

- (1) an unsafe building; and
- (2) the tract of real property on which the unsafe building is located;

are considered unsafe premises.

(c) For purposes of this chapter, a tract of real property that does not contain a building or structure, not including land used for production agriculture, is considered an unsafe premises if the tract of real property is:

- (1) a fire hazard;
- (2) a hazard to public health;
- (3) a public nuisance; or
- (4) dangerous to a person or property because of a violation of a statute or an ordinance."

Renumber all SECTIONS consecutively.

(Reference is to SB 422 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 7, Nays 1.

HEAD, Chair

Report adopted.

SENATE MOTION

Madam President: I move that the following resolutions be adopted:

SR 20 Senator Broden

Congratulating the District 11 South Bend all-stars team for winning the 2013 Little League Senior Softball World Series.

SR 21 Senator Broden

Congratulating the Penn Township Fire Department for being named Fire Department Advanced Life Support Provider of the Year.

LONG

Motion prevailed.

RESOLUTIONS ON FIRST READING

Senate Resolution 20

Senate Resolution 20, introduced by Senators Broden, Zakas, and Arnold:

A SENATE RESOLUTION congratulating the District 11 South Bend all-stars team for winning the 2013 Little League Senior Softball World Series.

Whereas, The South Bend Senior League defeated Lombardia Little League of Italy by a score of 5-1 to win their first ever World Series Championship;

Whereas, Manager Derek Hicks and Coaches Matthew Kirkpatrick and Jesus Gutierrez led an impressive roster comprised of Katlynn Sopczynski, Nichole Kirkpatrick, Melissa Hicks, Kelsy Keilman, Madeline Logsdon, Hanna Andrysiak, Alyssa Gutierrez, Veronica Rodriguez, Ashton Woods, Shannon McCarty, Toree Friedrich, Megan Bonk., Brooke Versmesse, Claire Cwidak, Dezaray Watts, and Meghan Sink;

Whereas, The team has played their way into the World Series for eight seasons, and has never finished lower than fourth place;

Whereas, The team entered the tournament as the number one seed;

Whereas, South Bend was tied with Italy 1-1 at the bottom of the 4th inning, but South Bend was able to score 4 runs in the 4th inning and keep Italy scoreless the rest of the game;

Whereas, South Bend represented USA-Central in the tournament, and was able to best teams from USA-West, USA-Southwest, USA-Southeast, USA-East, Latin America, Europe and Africa, Canada, the Host District, and Asia-Pacific to clinch the title; and

Whereas, The tournament took place August 4-10, 2013 in Sussex County, Delaware: Therefore,

Be it resolved by the Senate of the General Assembly of the State of Indiana:

SECTION 1. The Indiana Senate congratulates the District 11 South Bend all-stars team for winning the 2013 Senior Little League Softball World Series.

SECTION 2. The Secretary of the Senate is hereby directed to transmit copies of this resolution to the manager, coaches, and players.

The resolution was read in full and adopted by voice vote.

Senate Resolution 21

Senate Resolution 21, introduced by Senators Broden and Zakas:

A SENATE RESOLUTION congratulating the Penn Township Fire Department for being named Fire Department Advanced Life Support Provider of the Year.

Whereas, The Penn Township Fire Department Emergency Medical Services Division has undergone an amazing transformation since 2012;

Whereas, The Division previously had no ambulance or paramedics on their payroll, but thanks to the addition of six full-time and six part-time paramedics, an ambulance, and a chase vehicle, the quality of emergency medical services in Penn Township has greatly improved;

Whereas, Penn Township was given this award at the Indiana Emergency Response Conference for their high-degree of professionalism, laudable advancements in health care services, and their steadfast commitment to personnel, patients, and the community alike;

Whereas, The ambulance, Penn Fire Medic 13, has responded to over 1000 calls for service in Penn Township and Osceola in its first year of service;

Whereas, Residents of the area have seen response times decrease by 50%, medical technology has improved, and patients have received an overall higher standard of care; and

Whereas, The Department serves up to 60,000 residents in 62 square miles of St. Joseph County: Therefore,

Be it resolved by the Senate of the General Assembly of the State of Indiana:

SECTION 1. The Indiana Senate recognizes the invaluable efforts exhibited by the hardworking men and women of the Penn Township Fire Department, and congratulates them on being named Fire Department Advanced Life Support Provider of the Year.

SECTION 2. The Secretary of the Senate is hereby directed to transmit copies of this resolution to the Penn Township Fire Department.

The resolution was read in full and adopted by voice vote.

JOINT RESOLUTIONS ON SECOND READING

Senate Joint Resolution 9

Senator Steele called up Senate Joint Resolution 9 for second reading. The resolution was read a second time by title, and there being no amendments was ordered engrossed.

SENATE BILLS ON SECOND READING

Senate Bill 28

Senator Pete Miller called up Senate Bill 28 for second

reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 36

Senator Delph called up Senate Bill 36 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 36-1)

Madam President: I move that Senate Bill 36 be amended to read as follows:

Page 4, line 8, after "decendent" insert ", **other than an insurer regulated under IC 27**".

Page 4, line 11, delete "ten (10)" and insert "**thirty (30)**".

Page 4, between lines 14 and 15, begin a new paragraph and insert:

"(c) A court may, upon notice and hearing, award attorney's fees and costs to a person bringing an action under subsection (a) against an insurer regulated under IC 27 if:

(1) the insurer failed to respond pursuant to IC 27 after receiving an affidavit from the person; and

(2) the affidavit is consistent with section 1 of this chapter."

Page 4, line 24, after "of the decendent" insert ", **other than an insurer regulated under IC 27**".

Page 4, line 28, delete "ten (10)" and insert "**thirty (30)**".

Page 4, between lines 30 and 31, begin a new paragraph and insert:

"(c) A court may, upon notice and hearing, award attorney's fees and costs to an estate bringing an enforcement proceeding under subsection (a) against an insurer regulated under IC 27 if:

(1) the insurer failed to respond pursuant to IC 27 after receiving a written demand or instruction from the personal representative; and

(2) the written demand or instruction is consistent with this article."

(Reference is to SB 36 as printed January 17, 2014.)

DELPH

Motion prevailed. The bill was ordered engrossed.

Senate Bill 80

Senator Long called up Senate Bill 80 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 80-1)

Madam President: I move that Senate Bill 80 be amended to read as follows:

Page 4, line 17, reset in roman "following:".

Page 4, line 18, reset in roman "(1) The".

Page 4, between lines 38 and 39, begin a new line block indented and insert:

"(2) The commission on improving the status of children in Indiana (IC 2-5-36)."

Page 16, delete lines 14 through 16, begin a new paragraph and insert:

"SECTION 41. IC 2-5-36-12 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 12. The commission and this chapter expire January 1, 2019."

Page 89, delete lines 22 through 42.

Delete page 90.

Page 91, delete lines 1 through 19.

Renumber all SECTIONS consecutively.

(Reference is to SB 80 as printed January 29, 2014.)

HOLDMAN

Motion prevailed. The bill was ordered engrossed.

Senate Bill 118

Senator Pete Miller called up Senate Bill 118 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 156

Senator Head called up Senate Bill 156 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 156-4)

Madam President: I move that Senate Bill 156 be amended to read as follows:

Page 4, line 9, after "(28)" insert "**This subdivision does not apply to Clark County or to a redevelopment commission in Clark County."**

Page 10, line 9, after "(M)" insert "**This clause does not apply to Clark County or to a redevelopment commission in Clark County."**

(Reference is to SB 156 as printed January 24, 2014.)

HEAD

Motion prevailed.

SENATE MOTION
(Amendment 156-1)

Madam President: I move that Senate Bill 156 be amended to read as follows:

Page 4, line 29, after "validated." insert "**In the case of a redevelopment commission that was jointly established by more than one (1) unit, any approvals by a fiscal body that are required under this subdivision must be made by the fiscal body of the unit in which the commercial property is located. If the commercial property is located in more than one (1) unit that participated in the joint establishment of the redevelopment commission, the approval must be made by the fiscal body of the unit that meets all of the following**

conditions:

- (A) The unit participated in the joint establishment of the redevelopment commission.
- (B) The commercial property is located in whole or in part in the unit.
- (C) The unit has the greatest assessed valuation of any of the units that meet the conditions of clauses (A) and (B)."

Page 10, line 14, after "under this clause." insert **"In the case of a redevelopment commission that was jointly established by more than one (1) unit, any approvals by a fiscal body that are required under this clause must be made by the fiscal body of the unit in which the commercial property is located. If the commercial property is located in more than one (1) unit that participated in the joint establishment of the redevelopment commission, the approval must be made by the fiscal body of the unit that meets all of the following conditions:**

- (i) The unit participated in the joint establishment of the redevelopment commission.**
- (ii) The commercial property is located in whole or in part in the unit.**
- (iii) The unit has the greatest assessed valuation of any of the units that meet the conditions of items (i) and (ii)."**

Page 10, line 14, before "This clause" begin a new line double block indented.

Page 16, line 12, after "commission." insert **"In the case of a redevelopment commission that was jointly established by more than one (1) unit, any approvals by a fiscal body that are required under this subdivision must be made by the fiscal body of the unit in which the commercial property is located. If the commercial property is located in more than one (1) unit that participated in the joint establishment of the redevelopment commission, the approval must be made by the fiscal body of the unit that meets all of the following conditions:**

- (A) The unit participated in the joint establishment of the redevelopment commission.**
- (B) The commercial property is located in whole or in part in the unit.**
- (C) The unit has the greatest assessed valuation of any of the units that meet the conditions of clauses (A) and (B)."**

Page 16, line 12, before "This subdivision" begin a new line block indented.

Page 22, line 1, after "clause." insert **"In the case of a redevelopment commission that was jointly established by more than one (1) unit, any approvals by a fiscal body that are required under this clause must be made by the fiscal body of the unit in which the commercial property is located. If the commercial property is located in more than one (1) unit that participated in the joint establishment of the redevelopment commission, the approval must be made by the fiscal body of the unit that meets all of the following**

conditions:

- (i) The unit participated in the joint establishment of the redevelopment commission.**
- (ii) The commercial property is located in whole or in part in the unit.**
- (iii) The unit has the greatest assessed valuation of any of the units that meet the conditions of items (i) and (ii)."**

Page 22, line 1, before "This clause" begin a new line double block indented.

(Reference is to SB 156 as printed January 24, 2014.)

HEAD

Motion prevailed. The bill was ordered engrossed.

Senate Bill 208

Senator Walker called up Senate Bill 208 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 212

Senator Stoops called up Senate Bill 212 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 217

Senator Charbonneau called up Senate Bill 217 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 221

Senator Holdman called up Senate Bill 221 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 221-1)

Madam President: I move that Senate Bill 221 be amended to read as follows:

Page 1, line 9, after "unrelated or" insert **"only partially or"**.

Page 1, line 14, after "lessees" insert **"the"**.

Page 1, line 15, after "services" insert **"described in subsection (a)"**.

Page 2, line 2, delete "A" and insert **"The"**.

Page 2, line 4, after "purchase" insert **"the"**.

Page 2, line 4, delete "enter" and insert **"entering"**.

Page 2, line 5, delete "and".

Page 2, between lines 5 and 6, begin a new line double block indented and insert:

"(B) does not require that any purchaser or prospective purchaser of the property or services enter into a rental purchase agreement as a condition to purchasing the property or services; and".

Page 2, line 6, delete "(B)" and insert **"(C)"**.

Page 2, line 7, delete "that" and insert **"that"**:

(i)".

Page 2, line 8, delete "for" and insert "to".

Page 2, line 9, delete "agreement." and insert "**agreement; and**

(ii) entering into a rental purchase agreement is not a condition to purchasing the property or services."

Page 2, line 18, delete "(a)(1) and (a)(2)" and insert "**(a)**".

Page 2, line 19, delete "(b)(2)," and insert "**(b)**".

Page 2, line 27, delete "of this state or the United States" and insert "**of:**

(A) this state;

(B) the United States; or

(C) any governmental unit of this state or the United States;".

(Reference is to SB 221 as printed January 22, 2014.)

HOLDMAN

Motion prevailed. The bill was ordered engrossed.

Senate Bill 234

Senator Kruse called up Senate Bill 234 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 234-1)

Madam President: I move that Senate Bill 234 be amended to read as follows:

Page 11, line 3, strike "and".

Page 11, line 5, delete "auctioneering." and insert "auctioneering; **and**

(3) expenses related to the continuing education program."

Page 11, line 8, delete "commission" and insert "**licensing agency**".

Page 11, line 9, delete "compliance".

Page 11, line 10, delete "commission" and insert "**licensing agency**".

Page 11, line 18, delete "The" and insert "**the**".

(Reference is to SB 234 as printed January 28, 2014.)

KRUSE

Motion prevailed. The bill was ordered engrossed.

Senate Bill 271

Senator Charbonneau called up Senate Bill 271 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 304

Senator Merritt called up Senate Bill 304 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 332

Senator Holdman called up Senate Bill 332 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 338

Senator Hershman called up Senate Bill 338 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 340

Senator Merritt called up Senate Bill 340 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 340-6)

Madam President: I move that Senate Bill 340 be amended to read as follows:

Page 1, line 7, delete "29," and insert "**9**".

Page 2, line 2, after "services" insert "**at a single site**".

Page 2, line 42, delete "29," and insert "**9**".

(Reference is to SB 340 as printed January 24, 2014.)

MERRITT

Motion prevailed.

SENATE MOTION
(Amendment 340-7)

Madam President: I move that Senate Bill 340 be amended to read as follows:

Page 1, line 7, delete "29," and insert "**9**".

Page 1, line 16, delete "demand." and insert "**demand or a self directed energy efficiency program."**

Page 2, line 2, delete "one (1)" and insert "**five (5)**".

Page 2, line 3, delete "megawatt" and insert "**megawatts**".

Page 2, line 21, delete "may subsequently opt to" and insert "**shall**".

Page 2, line 21, after "in" insert "**a self directed energy efficiency program. The commission shall adopt rules under IC 4-22-2 establishing the terms and duration of a self directed energy efficiency program."**

Page 2, delete lines 22 through 30.

Page 2, line 35, delete "The" and insert "**In addition to the rules described in subsection (e), the**".

Page 2, line 42, delete "29," and insert "**9**".

(Reference is to SB 340 as printed January 24, 2014.)

BREAUX

Upon request of Senator Breaux the President ordered the roll of the Senate to be called. Roll Call 82: yeas 11, nays 35.

Motion failed.

SENATE MOTION
(Amendment 340-5)

Madam President: I move that Senate Bill 340 be amended to read as follows:

Delete everything after the enacting clause and insert the following:

SECTION 1. [EFFECTIVE JULY 1, 2014] (a) As used in this SECTION, "committee" refers to the regulatory flexibility committee established by IC 8-1-2.6-4.

(b) As used in this SECTION, "DSM order" refers to an order of the Indiana utility regulatory commission that establishes or approves:

- (1) energy efficiency targets or goals for public utilities; or**
- (2) an energy efficiency program sponsored by a public utility.**

The term includes the December 29, 2009, order of the Indiana utility regulatory commission concerning demand side management programs.

(c) The general assembly urges the legislative council to assign to the committee or another appropriate committee the task of studying the status of energy efficiency programs implemented under DSM orders.

(d) If the committee or another appropriate committee is assigned the topic described in subsection (c), the committee shall issue to the legislative council a final report containing the committee's findings and recommendations, if any, in an electronic format under IC 5-14-6 not later than November 1, 2014.

(e) This SECTION expires December 31, 2014.
(Reference is to SB 340 as printed January 24, 2014.)

BRODEN

Motion failed.

SENATE MOTION
(Amendment 340-2)

Madam President: I move that Senate Bill 340 be amended to read as follows:

Page 3, after line 26, begin a new paragraph and insert:

"(i) Not later than August 15, 2014, the commission shall prepare a status report on all rate adjustment mechanisms, adjustment charges, revenue adjustments, and other items commonly referred to as "trackers" in effect or under consideration by the commission as of July 1, 2014. The commission shall provide the status report in an electronic format under IC 5-14-6 to the regulatory flexibility committee and the legislative council. The status report must consider the following:

- (1) The purpose of each tracker.**
- (2) For each tracker, the dollar amount or percentage of charges, as applicable, as it appears on a customer's detailed bill, including any projected increases or decreases in the amount of the tracker.**
- (3) The duration of each tracker, including the**

reasoning of the commission in authorizing the duration of the tracker.

(4) Any additional information or recommendations the commission determines is necessary.

This subsection expires December 31, 2014."

(Reference is to SB 340 as printed January 24, 2014.)

BREAUX

Motion failed.

SENATE MOTION
(Amendment 340-1)

Madam President: I move that Senate Bill 340 be amended to read as follows:

Page 3, after line 26, begin a new paragraph and insert:

"SECTION 2. IC 8-1-8.5-10 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 10. (a) For purposes of this section, "eligible customer" means a retail customer of Duke Energy Indiana whose electric service charges reflect a revenue adjustment under Rider 61.

(b) For purposes of this section, "Rider 61" refers to standard contract rider no. 61 (integrated coal gasification combined cycle generating facility) of Duke Energy Indiana.

(c) Upon written notice to Duke Energy Indiana and the commission, an eligible customer may opt out of Rider 61. Beginning with the first billing cycle that occurs thirty (30) days after the eligible customer provides notice, Duke Energy Indiana may not include a revenue adjustment under Rider 61 on the eligible customer's electric bill."

Renumber all SECTIONS consecutively.

(Reference is to SB 340 as printed January 24, 2014.)

STOOPS

After discussion, Senator Stoops withdrew the motion to amend.

The bill was ordered engrossed.

Senate Bill 350

Senator Wyss called up Senate Bill 350 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 357

Senator R. Young called up Senate Bill 357 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 359

Senator Charbonneau called up Senate Bill 359 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 375

Senator Holdman called up Senate Bill 375 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 377

Senator Glick called up Senate Bill 377 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 394

Senator Bray called up Senate Bill 394 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 394-1)

Madam President: I move that Senate Bill 394 be amended to read as follows:

Page 4, line 20, after "described" insert "in".

Page 4, line 27, delete "However, a violation of the terms of the assurance of".

Page 4, delete lines 28 through 29.

(Reference is to SB 394 as printed January 29, 2014.)

HEAD

Motion prevailed. The bill was ordered engrossed.

Senate Bill 396

Senator Hershman called up Senate Bill 396 for second reading. The bill was reread a second time by title.

SENATE MOTION
(Amendment 396-1)

Madam President: I move that Senate Bill 396 be amended to read as follows:

Page 7, after line 3, begin a new paragraph and insert:

"SECTION 5. IC 22-13-2-11.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 11.5. (a)** As used in this section, "NFPA 72" refers to NFPA 72, National Fire Alarm and Signaling Code, 2010 Edition, published by the National Fire Protection Association, 1 Batterymarch Park, Quincy, Massachusetts 02169-7471.

(b) It is the intent of the general assembly that NFPA 72, as may be amended by the commission under subsection (c), be incorporated into the Indiana Administrative Code. Not later than July 1, 2014, the commission shall adopt rules under IC 4-22-2 to amend 675 IAC 28-1-28 to incorporate NFPA 72 into the Indiana Administrative Code, subject to subsection (c)(1) and (c)(2). The commission may adopt emergency rules in the manner provided under IC 4-22-2-37.1 to comply with this subsection. An emergency rule adopted by the commission under IC 4-22-2-37.1 to

comply with this subsection expires on the date a rule that supersedes the emergency rule is adopted by the commission under IC 4-22-2-24 through IC 4-22-2-36.

(c) In adopting rules to incorporate NFPA 72 into the Indiana Administrative Code, as required by subsection (b), the commission may amend NFPA 72 as the commission considers appropriate. However, the rules finally adopted by the commission to comply with this section must do the following:

(1) Incorporate the definition of, and associated requirements for:

(A) a managed facilities-based voice network (MFVN); and

(B) a public switched telephone network (PSTN); as set forth in NFPA 72.

(2) Allow digital alarm communicator systems that make use of a managed facilities-based voice network (MFVN) to transmit signals from a fire alarm system to an offsite monitoring facility, subject to the requirements for those systems set forth in NFPA 72.

(d) If the commission does not comply with subsection (b), the following apply on July 1, 2014:

(1) The definition of, and associated requirements for:

(A) a managed facilities-based voice network (MFVN); and

(B) a public switched telephone network (PSTN); as set forth in NFPA 72, are considered incorporated

into the Indiana Administrative Code. Any provisions of 675 IAC 28-1-28 (or any rules adopted by a state agency, or any ordinances or other regulations adopted by a political subdivision) that conflict with the definitions and requirements described in this subdivision are superseded by the definitions and requirements described in this subdivision. This subdivision continues to apply until the commission adopts rules that amend 675 IAC 28-1-28 to incorporate NFPA 72 into the Indiana Administrative Code and that comply with subsection (c)(1) and (c)(2).

(2) A person that after June 30, 2014, installs or uses a digital alarm communicator system that:

(A) makes use of a managed facilities-based voice network (MFVN) to transmit signals from a fire alarm system to an offsite monitoring facility; and

(B) meets the requirements for such a system set forth in NFPA 72;

is not required to obtain a variance from the commission under section 11 of this chapter for the installation or use.

SECTION 6. An emergency is declared for this act." .

Renummer all SECTIONS consecutively.

(Reference is to SB 396 as printed January 24, 2014.)

HERSHMAN

Motion prevailed. The bill was ordered engrossed.

Senate Bill 397

Senator Leising called up Senate Bill 397 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 397-3)

Madam President: I move that Senate Bill 397 be amended to read as follows:

Page 1, line 3, after "(a)" insert "**As used in this section, "child" includes any of the following:**

(1) An individual who is less than eighteen (18) years of age.

(2) An individual who is at least eighteen (18) years of age and either:

(A) continues to be enrolled in a kindergarten through grade 12 school; or

(B) has a developmental disability.

(b)".

Page 1, line 9, delete "(b)" and insert "(c)".

Page 3, delete lines 3 through 14.

Renumber all SECTIONS consecutively.

(Reference is to SB 397 as printed January 24, 2014.)

LEISING

Motion prevailed. The bill was ordered engrossed.

Senate Bill 409

Senator Zakas called up Senate Bill 409 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 409-1)

Madam President: I move that Senate Bill 409 be amended to read as follows:

Page 10, delete lines 14 through 42.

(Reference is to SB 409 as printed January 28, 2014.)

ZAKAS

Motion prevailed. The bill was ordered engrossed.

Senate Bill 420

Senator Head called up Senate Bill 420 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 421

Senator Head called up Senate Bill 421 for second reading. The bill was reread a second time by title.

SENATE MOTION
(Amendment 421-5)

Madam President: I move that Senate Bill 421 be amended to read as follows:

Page 13, between lines 8 and 9, begin a new paragraph and

insert:

"SECTION 20. IC 25-22.5-8-2, AS AMENDED BY P.L.232-2013, SECTION 17, AND AS AMENDED BY P.L.158-2013, SECTION 284, IS CORRECTED AND AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 2. (a) A person who *knowingly or intentionally* violates this article by unlawfully practicing medicine or osteopathic medicine commits a **Class C felony (for a crime committed before July 1, 2014) or a Level 5 felony (for a crime committed after June 30, 2014).**

(b) A person who, *before January 1, ~~2014~~, 2015*, practices midwifery without the license required under this article commits 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).**

(c) A person who *knowingly or intentionally* acts as a physician assistant without the license required under IC 25-27.5 commits 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).**

SECTION 21. IC 25-23.4-3-1, AS ADDED BY P.L.232-2013, SECTION 20, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 1. (a) This section does not apply to an individual who has a license under IC 25-23-1-13.1 to practice midwifery as a certified nurse midwife and is practicing within the scope of that license.

(b) After July 1, 2014, an individual may not engage in the practice of midwifery unless:

(1) the individual is issued a certificate by a board under IC 25-1-5 and is acting within the scope of the person's license; or

(2) the individual has a certified direct entry midwife certificate under this article and has a collaborative agreement with a physician as set forth in this article.

(c) To become certified as a certified direct entry midwife, an applicant must satisfy the following requirements:

(1) Be at least twenty-one (21) years of age.

(2) Possess at least:

(A) an associate degree in nursing, associate degree in midwifery accredited by the Midwifery Education Accreditation Council (MEAC), or other similar science related associate degree; or

(B) a bachelor's degree;

from a postsecondary educational institution.

(3) Satisfactorily complete educational curriculum approved by:

(A) the Midwifery Education Accreditation Council (MEAC) or a successor organization; or

(B) the educational equivalent of a Midwifery Education Accreditation Council curriculum approved by the board.

(4) Acquire and document practical experience as outlined in the Certified Professional Midwife credentialing process in accordance with the standards of the North American

Registry of Midwives or a successor organization.

(5) Obtain certification by an accredited association in adult cardiopulmonary resuscitation that is approved by the board.

(6) Complete the program sponsored by the American Academy of Pediatrics in neonatal resuscitation, excluding endotracheal intubation and the administration of drugs.

(7) Comply with the birth requirements of the Certified Professional Midwife credentialing process, observe an additional twenty (20) births, be directly supervised by a physician for twenty (20) births, assist with an additional twenty (20) births, and act as the primary attendant for an additional twenty (20) births.

(8) Provide proof to the board that the applicant has obtained the Certified Professional Midwife credential as administered by the North American Registry of Midwives or a successor organization.

(9) Present additional documentation or certifications required by the board. The board may adopt standards that require more training than required by the North American Registry of Midwives.

(10) Maintain sufficient liability insurance.

(d) The board may exempt an applicant from the following:

(1) The education requirements in subsection (c)(2) if the applicant provides proof to the board that the applicant is enrolled in a program that will satisfy the requirements of subsection (c)(2). An exemption under this subdivision applies for an individual for not more than two (2) years. This subdivision expires June 30, 2016.

(2) The education requirements in subsection (c)(3) if the applicant provides:

(A) proof to the board that the applicant has delivered over one hundred (100) births as a primary attendant; and

(B) a letter of reference from a licensed physician with whom the applicant has informally collaborated.

This subdivision expires ~~June 30, 2014~~; **December 31, 2014**.

(3) The requirement that a physician directly supervise twenty (20) births in subsection (c)(7) if the applicant provides:

(A) proof to the board that the applicant has delivered over one hundred (100) births as a primary attendant; and

(B) a letter of reference from a licensed physician with whom the applicant has informally collaborated.

This subdivision expires ~~June 30, 2014~~; **December 31, 2014**.

SECTION 22. IC 25-23.4-3-7, AS ADDED BY P.L.232-2013, SECTION 20, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 7. (a) This section does not apply to an individual who has a license under IC 25-23-1-13.1 to practice midwifery as a certified nurse midwife.

(b) After ~~July 1, 2014~~, **December 31, 2014**, an individual who knowingly or intentionally practices midwifery without a certificate required under this article commits a ~~Class D felony~~ **Level 6 felony (for a crime committed after June 30, 2014)**."

Page 21, after line 40, begin a new paragraph and insert: "SECTION 34. **An emergency is declared for this act.**"

Renumber all SECTIONS consecutively.

(Reference is to SB 421 as reprinted January 29, 2014.)

PATRICIA MILLER

Motion prevailed.

SENATE MOTION
(Amendment 421-4)

Madam President: I move that Senate Bill 421 be amended to read as follows:

Page 17, delete lines 5 through 30.

Renumber all SECTIONS consecutively.

(Reference is to SB 421 as printed January 29, 2014.)

MERRITT

Motion prevailed. The bill was ordered engrossed.

Senate Bill 185

Senator Yoder called up Senate Bill 185 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

The President of the Senate yielded the gavel to Senator Long.

The President of the Senate announced that Senator Altling was excused for the remainder of the day.

ENGROSSED SENATE BILLS ON THIRD READING

Engrossed Senate Bill 1

Senator Hershman called up Engrossed Senate Bill 1 for third reading:

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

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

Roll Call 83: yeas 35, nays 11. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives T. Brown and Turner.

Engrossed Senate Bill 58

Senator Paul called up Engrossed Senate Bill 58 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning military and veterans.

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

Roll Call 84: yeas 46, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsor: Representative Hamm.

Engrossed Senate Bill 101

Senator Holdman called up Engrossed Senate Bill 101 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 85: yeas 41, nays 5. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsor: Representative Steuerwald.

Engrossed Senate Bill 222

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

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

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

Roll Call 86: yeas 45, nays 1. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsor: Representative Arnold.

Engrossed Senate Bill 300

Senator R. Young called up Engrossed Senate Bill 300 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning military and veterans.

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

Roll Call 87: yeas 46, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Macer, Baird, and Arnold.

Engrossed Senate Bill 311

Senator Head called up Engrossed Senate Bill 311 for third reading:

A BILL FOR AN ACT to repeal a provision of the Indiana Code concerning agriculture and animals.

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

Roll Call 88: yeas 41, nays 5. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsor: Representative Kubacki.

Engrossed Senate Bill 330

Senator Boots called up Engrossed Senate Bill 330 for third reading:

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

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

Roll Call 89: yeas 46, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Heuer and Thompson.

Engrossed Senate Bill 331

Senator Glick called up Engrossed Senate Bill 331 for third reading:

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

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

Roll Call 90: yeas 46, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Zent, Baird, VanDenburgh, and Macer.

Engrossed Senate Bill 339

Senator Merritt called up Engrossed Senate Bill 339 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning alcohol and tobacco.

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

Roll Call 91: yeas 33, 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 Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Torr and Cherry.

Engrossed Senate Bill 349

Senator Merritt called up Engrossed Senate Bill 349 for third reading:

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

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

Roll Call 92: yeas 46, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsor: Representative Huston.

SENATE MOTION

Madam President: I move that Senator Paul be added as coauthor of Engrossed Senate Bill 331.

GLICK

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Kruse be added as coauthor of Engrossed Senate Bill 222.

HOLDMAN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Kruse be added as coauthor of Engrossed Senate Bill 101.

HOLDMAN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Banks be added as second author of Senate Bill 404.

YODER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Kruse be added as coauthor of Engrossed Senate Bill 1.

HERSHMAN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Head be added as second author of Senate Bill 375.

HOLDMAN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Walker be added as second author of Senate Bill 221.

HOLDMAN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Walker be added as second author of Senate Bill 332.

HOLDMAN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lanane be added as second author of Senate Bill 409.

ZAKAS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Patricia Miller be added as second author of Senate Bill 385.

PETE MILLER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Zakas be added as second author of Senate Bill 208.

WALKER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Patricia Miller be added as coauthor of Engrossed Senate Bill 1.

HERSHMAN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Steele be added as second author of Senate Bill 293.

WATERMAN

Motion prevailed.

SENATE MOTION

HOLDMAN

Madam President: I move that Senator Patricia Miller be added as third author of Senate Bill 349.

Motion prevailed.

MERRITT

SENATE MOTION

Motion prevailed.

Madam President: I move that Senator Arnold be added as coauthor of Senate Bill 385.

SENATE MOTION

PETE MILLER

Madam President: I move that Senator Head be added as second author of Senate Bill 304.

Motion prevailed.

MERRITT

SENATE MOTION

Motion prevailed.

Madam President: I move that Senator Arnold be added as coauthor of Senate Bill 377.

SENATE MOTION

GLICK

Madam President: I move that Senator Broden be added as coauthor of Senate Bill 332.

Motion prevailed.

HOLDMAN

SENATE MOTION

Motion prevailed.

Madam President: I move that Senator Skinner be added as coauthor of Senate Bill 304.

SENATE MOTION

MERRITT

Madam President: I move that Senator Kruse be added as second author of Senate Bill 421.

Motion prevailed.

HEAD

SENATE MOTION

Motion prevailed.

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

SENATE MOTION

PAUL

Madam President: I move that Senator Banks be added as second author of Engrossed Senate Bill 393.

Motion prevailed.

WATERMAN

SENATE MOTION

Motion prevailed.

Madam President: I move that Senator Charbonneau be added as coauthor of Senate Bill 255.

SENATE MOTION

LANANE

Madam President: I move that Senator Holdman be added as second author of Engrossed Senate Bill 311.

Motion prevailed.

HEAD

SENATE MOTION

Motion prevailed.

Madam President: I move that Senator Randolph be added as coauthor of Senate Bill 364.

SENATE MOTION

BOOTS

Madam President: I move that Senator Lanane be added as second author of Senate Bill 80.

Motion prevailed.

LONG

SENATE MOTION

Motion prevailed.

Madam President: I move that Senator Randolph be added as coauthor of Senate Bill 170.

SENATE MOTION

M. YOUNG

Madam President: I move that Senator Randolph be added as coauthor of Senate Bill 223.

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Randolph be added as coauthor of Senate Bill 290.

TALLIAN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Waltz be added as coauthor of Senate Bill 422.

MERRITT

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Rogers be added as coauthor of Senate Bill 205.

BANKS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Head be added as coauthor of Senate Bill 349.

MERRITT

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Stoops be added as coauthor of Senate Bill 180.

BANKS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Steele be added as coauthor of Senate Concurrent Resolution 4.

TOMES

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator M. Young be added as second author, Senator Delph be added as third author, and Senators Randolph and Zakas be added as coauthors of Senate Bill 109.

BUCK

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Taylor be added as coauthor of Engrossed Senate Bill 339.

MERRITT

Motion prevailed.

SENATE MOTION

Madam President: I move that Senators Glick and Kruse be added as coauthors of Engrossed Senate Bill 300.

R. YOUNG

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Banks be added as second author and Senators Steele and R. Young be added as coauthors of Senate Bill 186.

YODER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Kruse be added as second author of Senate Bill 91.

SCHNEIDER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Mishler be added as third author and Senator Tallian be added as coauthor of Senate Bill 183.

YODER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senators Randolph, Delph, and M. Young be added as coauthors of Senate Bill 64.

WALTZ

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Charbonneau be added as coauthor of Senate Bill 180.

BANKS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Banks be added as second author and Senator Arnold be added as third author of Senate Bill 185.

YODER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Bray be added as coauthor of Senate Bill 233.

GROOMS

Motion prevailed.

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed House Concurrent Resolution 3 and the same is herewith transmitted for further action.

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed House Concurrent Resolution 21 and the same is herewith transmitted for further action.

M. CAROLINE SPOTTS
Principal Clerk of the House

SENATE MOTION

Madam President: I move we adjourn until 1:30 p.m., Monday, February 3, 2014.

HERSHMAN

Motion prevailed.

The Senate adjourned at 4:39 p.m.

JENNIFER L. MERTZ
Secretary of the Senate

SUE ELLSPERMANN
President of the Senate